

Federal Register

Thursday
January 21, 1982

10
368-106
G.S.A.
2/4

Highlights

- 2977 **Solidarity Day** Presidential proclamation
- 3028 **Grant Programs—Education** ED proposes FY '82 funding priorities for research activities supported by National Institute of Handicapped Research.
- 2981 **Securities** FRS revises margin regulations for credit transactions.
- 3011 **Air Pollution Control** EPA proposes regulations on designation of areas for air quality planning purposes.
- 3068 **Air Transportation** DOT/FAA reduces by one-half the number of flight attendants required on board during intermediate stops. (Part II of the issue)
- 2986, 3006 **Income Tax—Members of Congress** Treasury/IRS issues temporary rule and seeks comments on deduction of travel expenses while living in Washington, D.C. area. (2 documents)
- 2996 **Highway Safety** DOT/NHTSA amends standard for headlamp high beam indication light.
- 2979 **Grain Inspection** USDA/FGIS changes methods of applying tolerances for certain equipment.

CONTINUED INSIDE



FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers, free of postage, for \$75.00 per year, or \$45.00 for six months, payable in advance. The charge for individual copies is \$1.00 for each issue, or \$1.00 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

There are no restrictions on the republication of material appearing in the **Federal Register**.

Questions and requests for specific information may be directed to the telephone numbers listed under **INFORMATION AND ASSISTANCE** in the **READER AIDS** section of this issue.

Highlights

- 3007 Taxes—Statistics** Treasury/IRS proposes to amend rules on disclosures of return information for certain statistical purposes.
 - 2981 Peanuts** USDA/SRS removes rules for monthly reporting of quantities of peanuts and peanut oil.
 - 3029 Natural Gas—High Cost** DOE/EIA publishes alternative fuel price ceilings and incremental price threshold.
 - 3035 Privacy Act** HUD
 - 3061 Sunshine Act Meetings**
- Separate Parts of This Issue**
- 3068 Part II, DOT/FAA**

Contents

Federal Register

Vol. 47, No. 14

Thursday, January 21, 1982

- The President**
PROCLAMATIONS
 2977 Solidarity Day (Proc. 4891)
- Executive Agencies**
- Agricultural Marketing Service**
RULES
 2980 Oranges (Navel) grown in Ariz. and Calif.
PROPOSED RULES
 2999 Milk marketing orders:
 Tennessee Valley, etc.
- Agriculture Department**
See Agricultural Marketing Service; Federal Grain Inspection Service; Forest Service; Statistical Reporting Service.
- Arts and Humanities, National Foundation**
NOTICES
 Meetings:
 3047 Music Panel
 3047 State Programs Panel
- Civil Aeronautics Board**
NOTICES
 3015 Commuter fitness determinations
 3016 Mail rates; temporary intra-Alaska service
- Civil Rights Commission**
NOTICES
 Meetings, State advisory committees:
 3016 Colorado
- Coast Guard**
PROPOSED RULES
 3010 Drawbridge operations:
 Oregon; hearing
- Commerce Department**
See also Minority Business Development Agency; National Technical Information Service.
NOTICES
 Laboratory Accreditation Program, National Voluntary:
 3025 Windows and doors; inquiry
- Commodity Futures Trading Commission**
NOTICES
 Meetings:
 3026 State Jurisdiction and Responsibilities Advisory Committee
- Defense Department**
See also Engineers Corps.
NOTICES
 Meetings:
 3027 Women in Services Advisory Committee
- Delaware River Basin Commission**
NOTICES
 3027 Hearings
- Education Department**
NOTICES
 3028 Handicapped Research National Institute; proposed funding priorities, 1982 fiscal year
- Energy Department**
See also Energy Information Administration; Federal Energy Regulatory Commission.
NOTICES
 Meetings:
 3029 National Petroleum Council
- Energy Information Administration**
NOTICES
 3029 Natural gas, high cost; alternative fuel price ceilings and incremental price threshold
- Engineers Corps**
NOTICES
 3026 Environmental statements; availability, etc.:
 Clear Lakes Hydropower study, Idaho
- Environmental Protection Agency**
RULES
 2986 Pesticides; tolerances in food:
 (+)Cyano(3-phenoxyphenyl)methyl(+)-4-(difluoromethoxy)-alpha-(1-methylethyl)benzeneacetate; correction
PROPOSED RULES
 3011 Air quality planning purposes; designation of areas; attainment designations by county for establishing baseline air quality data
NOTICES
 Meetings:
 3031 Interagency Toxic Substances Data Committee
 Toxic and hazardous substances control:
 3031 Premanufacture notices receipts
- Federal Aviation Administration**
RULES
 2984, 2985 Control zones and transition areas (3 documents)
 2986 Restricted areas
PROPOSED RULES
 Air carriers certification and operation:
 3068 Flight attendants; number required during intermediate stops
 3002-3005 Transition areas (6 documents)
NOTICES
 3057 Exemption petitions; summary and disposition
 Meetings:
 3057 Spring airline schedules
- Federal Deposit Insurance Corporation**
NOTICES
 3061 Meetings; Sunshine Act
- Federal Election Commission**
NOTICES
 3061 Meetings; Sunshine Act

Federal Emergency Management Agency**PROPOSED RULES**

- 3012 Flood elevation determinations:
Minnesota; correction

Federal Energy Regulatory Commission**NOTICES**

- 3061 Meetings; Sunshine Act

Federal Grain Inspection Service**RULES**

- 2979 Grain inspection equipment tolerances

Federal Highway Administration**NOTICES**

- 3059 Environmental statements; availability, etc.:
Lehigh County, Pa.; intent to prepare

Federal Maritime Commission**NOTICES**

- 3032 Investigations and hearings, etc.:
Trans-Pacific Freight Conference of Japan/Korea;
authorization of minority rate initiative
- 3034 Western Pioneer, Inc.; tariff filing
- 3062 Meetings; Sunshine Act

Federal Reserve System**RULES**

- 2981 Credit by brokers and dealers (Regulation T), etc.:
Margin rules simplification; securities credit
transactions

Forest Service**NOTICES**

- 3013 Environmental statements; availability, etc.:
Nicolet National Forest, land and resource
management plan, Wisconsin
- 3013 Pacific Crest National Scenic Trail relocation;
Cleveland National Forest, Calif.
- 3013 Meetings:
Black Hills National Forest Grazing Advisory
Board
- 3013 Prescott National Forest Grazing Advisory Board

Geological Survey**NOTICES**

- 3044 Digital cartographic and geographic data tapes;
price list, etc.
- Outer Continental Shelf; oil, gas, and sulphur
operations; development and production plans:
- 3044 Chevron U.S.A. Inc.
- 3045 CNG Producing Co.
- 3045 SONAT Exploration Co.
- 3045 Texoma Production Co.

Health and Human Services Department

See National Institutes of Health.

Housing and Urban Development Department**NOTICES**

- 3035 Privacy Act; systems of records

Interior Department

See also Geological Survey; Land Management
Bureau; National Park Service; Surface Mining
Reclamation and Enforcement Office.

RULES

- 2995 Conduct standards; correction

Internal Revenue Service**RULES**

- Income taxes:
2986 Travel expenses of Members of Congress;
temporary

PROPOSED RULES

- Income taxes:
3006 Travel expenses of Members of Congress; cross
reference
- Procedure and administration:
3007 Disclosures of return information
- NOTICES**
- 3060 Art Advisory Panel; 1981 closed meetings;
availability of report
- 3060 Art Print Panel; 1981 closed meetings; availability
of report

International Trade Commission**NOTICES**

- 3062 Meetings; Sunshine Act

Interstate Commerce Commission**NOTICES**

- Motor carriers:
3047 Permanent authority applications; operating
rights authority; republications
- Rail carriers:
3046 Baltimore & Ohio Railroad Co.; contract tariff
exemption

Land Management Bureau**NOTICES**

- Classification of public lands:
3036, Arizona (2 documents)
3042
- Coal leases, exploration licenses, etc.:
3040 Montana and Wyoming
3041 Utah
- Environmental statements; availability, etc.:
3039 Eastside Salem, Clackamas-Molalla and Santiam
Sustained Yield Units, Oreg.; draft timber
management plan
- 3043 Frontier Pipeline Project, Anschutz Ranch Field,
Uinta County, to Casper, Wyo.; scoping meetings
- Exchange of public lands for private land:
3038 Utah
3041 Utah; correction
- Leasing of public lands:
3043 Arizona
- Meetings:
3037 Craig District Grazing Advisory Board
3039 Lewistown District Grazing Advisory Board
3039 Richfield District Multiple Use Advisory Council;
cancellation
- 3038 Roswell District Grazing Advisory Board
- 3042 Susanville District Grazing Advisory Board
- Protraction diagrams:
3044 Idaho
- Sale of public lands:
3041, California (2 documents)
3043
- 3037 Nevada
- Withdrawal and reservation of lands, proposed,
etc.:
3044 Oregon correction

DELAWARE RIVER BASIN COMMISSION

- 3027 Business meeting, Wilmington, Del. (open), 1-27-82

ENERGY DEPARTMENT

- 3029 National Petroleum Council, Committee on Environmental Conservation, Coordinating Subcommittee, Fort Lauderdale, Fla. (open), 1-26 through 1-28-82

ENVIRONMENTAL PROTECTION AGENCY

- 3031 Interagency Toxic Substances Data Committee, Washington, D.C. (open), 2-2-82

HEALTH AND HUMAN SERVICES DEPARTMENT**National Institutes of Health—**

- 3034 National Cancer Advisory Board, Bethesda, Md. (partially open), 2-1 through 2-3-82; National Organ Site Programs Subcommittee, Bethesda, Md. (closed), 1-31-82; Special Actions for Grants Subcommittee, Bethesda, Md. (closed), 2-1-82; Planning and Budget Subcommittee, Bethesda, Md. (open), 2-1-82

INTERIOR DEPARTMENT**Land Management Bureau—**

- 3037 Craig District Grazing Advisory Board, Craig, Colo. (open), 2-25-82;
- 3043 Frontier Pipeline Project, Wyoming, Evanston, Wyo., 2-8-82; Rock Springs, Wyo., 2-9-82; Rawlins, Wyo., 2-10-82; Casper, Wyo., 2-11-82 (all sessions open)
- 3039 Lewistown District Grazing Advisory Board, Lewistown, Mont. (open), 2-11 and 2-12-82;
- 3038 Roswell District Grazing Advisory Board, Roswell, N. Mex. (open), 2-23-82;
- 3042 Susanville District Grazing Advisory Board, Susanville, Calif. (open), 2-24-82
- National Park Service—**
- 3046 Cape Cod National Seashore Advisory Commission, South Wellfleet, Mass. (open), 2-5-82

TRANSPORTATION DEPARTMENT**Federal Aviation Administration—**

- 3057 Spring Airline Schedules, Washington, D.C. (open), 2-1-82

CANCELLED MEETING**INTERIOR DEPARTMENT****Land Management Bureau—**

- 3039 Richfield District Multiple Use Advisory Council, Richfield, Utah; 2-2-82

HEARINGS**DELAWARE RIVER BASIN COMMISSION**

- 3027 Wilmington, Del., 1-27-82

TRANSPORTATION DEPARTMENT**Coast Guard—**

- 3010 Multnomah County Drawbridges, Portland, Oregon; proposed change to operating regulations; Portland, Oreg., 2-25-82

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR**Proclamation:**

4891..... 2977

7 CFR

Ch. XII..... 2981

801..... 2979

907..... 2980

1300..... 2981

Proposed Rules:

1011..... 2999

1046..... 2999

1098..... 2999

12 CFR

207..... 2981

220..... 2981

221..... 2981

14 CFR

71 (3 documents)..... 2984,

2985

73..... 2986

Proposed Rules:

71 (6 documents)..... 3002-

3005

121..... 3068

21 CFR

193..... 2986

26 CFR

1..... 2986

Proposed Rules:

1..... 3006

301..... 3007

30 CFR

936..... 2989

Proposed Rules:

914..... 3008

33 CFR**Proposed Rules:**

117..... 3010

35 CFR

103..... 2991

40 CFR**Proposed Rules:**

81..... 3011

43 CFR

20..... 2995

44 CFR**Proposed Rules:**

67..... 3012

49 CFR

571..... 2996

A complete list of the parts affected by this issue can be found in the Parts and Accessories section of this issue.

1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072	1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119	1120	1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136	1137	1138	1139	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1152	1153	1154	1155	1156	1157	1158	1159	1160	1161	1162	1163	1164	1165	1166	1167	1168	1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180	1181	1182	1183	1184	1185	1186	1187	1188	1189	1190	1191	1192	1193	1194	1195	1196	1197	1198	1199	1200	1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211	1212	1213	1214	1215	1216	1217	1218	1219	1220	1221	1222	1223	1224	1225	1226	1227	1228	1229	1230	1231	1232	1233	1234	1235	1236	1237	1238	1239	1240	1241	1242	1243	1244	1245	1246	1247	1248	1249	1250	1251	1252	1253	1254	1255	1256	1257	1258	1259	1260	1261	1262	1263	1264	1265	1266	1267	1268	1269	1270	1271	1272	1273	1274	1275	1276	1277	1278	1279	1280	1281	1282	1283	1284	1285	1286	1287	1288	1289	1290	1291	1292	1293	1294	1295	1296	1297	1298	1299	1300	1301	1302	1303	1304	1305	1306	1307	1308	1309	1310	1311	1312	1313	1314	1315	1316	1317	1318	1319	1320	1321	1322	1323	1324	1325	1326	1327	1328	1329	1330	1331	1332	1333	1334	1335	1336	1337	1338	1339	1340	1341	1342	1343	1344	1345	1346	1347	1348	1349	1350	1351	1352	1353	1354	1355	1356	1357	1358	1359	1360	1361	1362	1363	1364	1365	1366	1367	1368	1369	1370	1371	1372	1373	1374	1375	1376	1377	1378	1379	1380	1381	1382	1383	1384	1385	1386	1387	1388	1389	1390	1391	1392	1393	1394	1395	1396	1397	1398	1399	1400	1401	1402	1403	1404	1405	1406	1407	1408	1409	1410	1411	1412	1413	1414	1415	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426	1427	1428	1429	1430	1431	1432	1433	1434	1435	1436	1437	1438	1439	1440	1441	1442	1443	1444	1445	1446	1447	1448	1449	1450	1451	1452	1453	1454	1455	1456	1457	1458	1459	1460	1461	1462	1463	1464	1465	1466	1467	1468	1469	1470	1471	1472	1473	1474	1475	1476	1477	1478	1479	1480	1481	1482	1483	1484	1485	1486	1487	1488	1489	1490	1491	1492	1493	1494	1495	1496	1497	1498	1499	1500	1501	1502	1503	1504	1505	1506	1507	1508	1509	1510	1511	1512	1513	1514	1515	1516	1517	1518	1519	1520	1521	1522	1523	1524	1525	1526	1527	1528	1529	1530	1531	1532	1533	1534	1535	1536	1537	1538	1539	1540	1541	1542	1543	1544	1545	1546	1547	1548	1549	1550	1551	1552	1553	1554	1555	1556	1557	1558	1559	1560	1561	1562	1563	1564	1565	1566	1567	1568	1569	1570	1571	1572	1573	1574	1575	1576	1577	1578	1579	1580	1581	1582	1583	1584	1585	1586	1587	1588	1589	1590	1591	1592	1593	1594	1595	1596	1597	1598	1599	1600	1601	1602	1603	1604	1605	1606	1607	1608	1609	1610	1611	1612	1613	1614	1615	1616	1617	1618	1619	1620	1621	1622	1623	1624	1625	1626	1627	1628	1629	1630	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640	1641	1642	1643	1644	1645	1646	1647	1648	1649	1650	1651	1652	1653	1654	1655	1656	1657	1658	1659	1660	1661	1662	1663	1664	1665	1666	1667	1668	1669	1670	1671	1672	1673	1674	1675	1676	1677	1678	1679	1680	1681	1682	1683	1684	1685	1686	1687	1688	1689	1690	1691	1692	1693	1694	1695	1696	1697	1698	1699	1700	1701	1702	1703	1704	1705	1706	1707	1708	1709	1710	1711	1712	1713	1714	1715	1716	1717	1718	1719	1720	1721	1722	1723	1724	1725	1726	1727	1728	1729	1730	1731	1732	1733	1734	1735	1736	1737	1738	1739	1740	1741	1742	1743	1744	1745	1746	1747	1748	1749	1750	1751	1752	1753	1754	1755	1756	1757	1758	1759	1760	1761	1762	1763	1764	1765	1766	1767	1768	1769	1770	1771	1772	1773	1774	1775	1776	1777	1778	1779	1780	1781	1782	1783	1784	1785	1786	1787	1788	1789	1790	1791	1792	1793	1794	1795	1796	1797	1798	1799	1800	1801	1802	1803	1804	1805	1806	1807	1808	1809	1810	1811	1812	1813	1814	1815	1816	1817	1818	1819	1820	1821	1822	1823	1824	1825	1826	1827	1828	1829	1830	1831	1832	1833	1834	1835	1836	1837	1838	1839	1840	1841	1842	1843	1844	1845	1846	1847	1848	1849	1850	1851	1852	1853	1854	1855	1856	1857	1858	1859	1860	1861	1862	1863	1864	1865	1866	1867	1868	1869	1870	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880	1881	1882	1883	1884	1885	1886	1887	1888	1889	1890	1891	1892	1893	1894	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361
------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------

Presidential Documents

Title 3—

Proclamation 4891 of January 20, 1982

The President

Solidarity Day

By the President of the United States of America

A Proclamation

Solidarnosc, the Polish free trade union Solidarity Movement, was born not only of the failure of the Polish Government to meet the needs of its people but also from a tradition of freedom preserved and nourished by the proud Polish people through two centuries of foreign and domestic tyranny.

Solidarity symbolizes the battle of real workers in a so-called workers' state to sustain the fundamental human and economic rights they began to win in Gdansk in 1980—the right to work and reap the fruits of one's labor, the right to assemble, the right to strike, and the right to freedom of expression. Solidarity sought to address and to resolve Poland's deep-rooted economic ills; it acted in good faith and pursued a path of constructive dialogue with the Polish Government.

Despite these peaceful efforts on the part of Solidarity, a brutal wave of repression has descended on Poland. The imposition of martial law has stripped away all vestiges of newborn freedom. Authorities have resorted to arbitrary detentions, and the use of force, resulting in violence and loss of life; the free flow of people, ideas and information has been suppressed; the human rights clock in Poland has been turned back more than 30 years. The target of this repression is the Solidarity Movement but in attacking Solidarity its enemies attack an entire people. Ten million of Poland's thirty-six million citizens are members of Solidarity. Taken together with their families, they account for the overwhelming majority of the Polish nation. By persecuting Solidarity, the Polish military government wages war against its own people.

History shows us that stability in Europe is threatened when Poland is suppressed. The hearts and minds of free people everywhere stand in Solidarity with the people of Poland in the hour of their suffering.

We hold in high esteem the leadership and objectives of Lech Walesa, the head of Solidarity, and we express our grave concern for his present well-being. As Americans we feel a special affinity with Solidarity and the basic human values it seeks to uphold, in keeping with the long tradition of Polish-American friendship and freedom. President Wilson's advocacy of self-determination for the Polish people helped to bring about a rebirth of the Polish nation earlier in this century. America stands ready today to provide generous support and assistance to a Poland which has returned to a path of genuine internal reconciliation.

There is a spirit of Solidarity abroad in the world today that no physical force can crush. It crosses national boundaries and enters into the hearts of men and women everywhere. In factories, farms and schools, in cities and towns around the globe, we the people of the Free World stand as one with our Polish brothers and sisters. Their cause is ours.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby designate January 30, 1982, as Solidarity Day. I urge the people of the United States, and free peoples everywhere, to observe this day in meetings, demonstrations, rallies, worship services and all other appropriate expressions of support. We will show our Solidarity with the courageous people of Poland and call for an end to their repression, the release of all those

arbitrarily detained, the restoration of the internationally recognized rights of the Polish people, and the resumption of internal dialogue and reconciliation in keeping with fundamental human rights.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of January, in the year of our Lord nineteen hundred and eighty-two and of the Independence of the United States of America the two hundred and sixth.

Ronald Reagan

[FR Doc. 82-1686

Filed 1-20-82; 11:42 am]

Billing code 3195-01-M

Rules and Regulations

Federal Register

Vol. 47, No. 14

Thursday, January 21, 1982

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

7 CFR Part 801

Grain Inspection Equipment Tolerances

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: The Federal Grain Inspection Service (FGIS or Service) is by this final rule changing certain nomenclature, relaxing tolerances, and changing certain methods of applying tolerances for the following official grain inspection equipment: Balances, barley pearlers, sieves (accuracy of perforation only), test weight apparatuses, and dividers. The Service is taking this action to relax certain requirements relating to inspection equipment and to bring the regulations more closely in line with current commercial standards for certain kinds of grain inspection equipment. An interim final rule was published in the August 11, 1981, *Federal Register* at 46 FR 40676.

EFFECTIVE DATE: February 22, 1982.

FOR FURTHER INFORMATION CONTACT: Lewis Lebakken, Jr., Regulations and Directives Management Staff, Resources Management Division, FGIS, USDA, Room 1636-A South Building, 1400 Independence Avenue, SW., Washington, D.C. 20250, telephone (202) 447-9172.

SUPPLEMENTARY INFORMATION: This final action is issued in conformance with Executive Order 12291 and Secretary's memorandum 1512-1, and has been determined to be "nonmajor" because this action will bring the regulations more closely in line with current commercial standards for certain kinds of inspection equipment,

and it will impose no new requirements on the grain industry in that it clarifies certain nomenclature, relaxes tolerances, and changes certain methods of applying tolerances.

Kenneth A. Gilles, Administrator, FGIS, has determined that this final rule will not have a significant economic impact on a substantial number of small entities as defined in the Regulatory Flexibility Act (5 U.S.C., 601 et seq.), because this action applies only to FGIS and to the limited number of private and State grain inspection and weighing agencies which are delegated or designated under the United States Grain Standards Act, as amended.

An interim final rule was published in the *Federal Register* of August 11, 1981, at 46 FR 40676 which invited written comments for 60 days ending October 13, 1981. The interim final rule was promulgated to relax certain requirements relating to inspection equipment and to bring the regulations more closely in line with current commercial standards for certain kinds of grain inspection equipment. Two written comments and several oral comments were received. One commentor noted several typographical errors in the text. These errors were inadvertently caused in printing. Correction of the errors was announced in the *Federal Register* of August 21, 1981, at 46 FR 42440. An analysis of the other comments and the decision regarding the specific provisions of the regulations are discussed below.

1. Section 801.2 Meaning of Terms

A comment was received concerning the definitions of "Deviation from Standard" and "Mean Deviation from Standard" that indicated that these definitions should include mention of variations between individual or average test unit results and a reference standard.

The accuracy of balances, sieves (thickness of metal and accuracy of perforation), and dividers is determined by the variation between individual or average test unit results and a reference standard. Therefore, the definitions have been written accordingly.

2. Section 801.3 Tolerances For Balances

A comment was received concerning the usage criteria for classifying balances that noted that moisture

balances must weigh samples as small as 150 grams. Since all presently approved moisture balances are accurate at the 150 gram level, the usage criteria for moisture balances has been revised accordingly.

3. Section 801.7 Tolerances For Moisture Meters

Several comments were received that recommended that the manner in which tolerances for moisture meters are classified be changed. The present system of classifying tolerances by dial settings does not clearly indicate the true nature of the tolerances. The tolerances are actually applied to a range of moistures, not to specific dial settings. In order to clarify these classifications, this provision has been changed to reflect the actual ranges of moistures.

4. Section 801.8 Tolerances For Near-infrared Reflectance (NIR) Analyzers and Kjeldahl Analyses

A comment was received that suggested the tolerances established for near-infrared reflectance analyzers be changed to bring these tolerances into closer alignment with those tolerances established for Kjeldahl analyses. FGIS is presently studying the tolerances for near-infrared reflectance analyzers and will consider the suggested change as part of this study. At this time, however, sufficient data is not available on which to justify any amendment to the present tolerances.

5. Section 801.10 Tolerances For Test Weight Apparatuses

A comment was received that noted that the tolerances for both beam and weighing accuracy of test weight per bushel apparatuses should be expressed as pounds per bushel because they are actually measurements of mass, not weight. Since pounds per bushel is correct, this section has been changed to accurately reflect this.

PART 801—OFFICIAL PERFORMANCE REQUIREMENTS FOR GRAIN INSPECTION EQUIPMENT

Accordingly, the interim final rule as published in the *Federal Register* on August 11, 1981, at 46 FR 40676 and corrected on August 21, 1981, at 46 FR 42440 is deemed to be final subject to the amendments indicated below.

1. Section 801.2 is amended by revising paragraphs (b)(4) and (b)(12) to read as follows:

§ 801.2 Meaning of Terms.

(b) * * *

(4) *Deviation from standard.* In testing inspection equipment for accuracy, the variation between (i) the individual test result from the equipment that is being tested and (ii) the reference standard or the individual test result from the standard (or master) equipment, as applicable.

(12) *Mean deviation from standard.* In testing inspection equipment for accuracy, the variation between (i) the average of the test results from the equipment that is being tested and (ii) the reference standard or the average of the test results from the standard (or master) equipment, as applicable.

2. Section 801.3 is revised to read as follows:

§ 801.3 Tolerances for balances.

The maintenance tolerances for balances used in performing official inspection services shall be:

Kind of balance	Tolerance ¹ (gram)
(a) Precision (for weighing samples of 120 grams or less).....	±0.02
(b) Moisture (for weighing moisture samples of 150-300 grams).....	±0.20
(c) General (for weighing samples, other than moisture samples, of more than 120 grams).....	±1.0

¹ Deviation from standard—weight.

3. Section 801.7 is revised to read as follows:

§ 801.7 Tolerances for moisture meters.

The maintenance tolerances for moisture meters used in performing official inspection services shall be:

(a) Federal Grain Inspection Service—Master/Standard meters.

Moisture range	Tolerance ¹	
	Direct comparison	Sample exchange
Low.....	±0.05	±0.05
Mid.....	±0.05	±0.05
High.....	±0.05	±0.05

(b) All other than FGIS Master/Standard meters.

Moisture range	Tolerance ¹	
	Direct comparison	Sample exchange
Low.....	±0.15	±0.20
Mid.....	±0.10	±0.15
High.....	±0.15	±0.20

¹ Mean deviation from standard—percent moisture.

9. Section 801.10 is revised to read as follows:

§ 801.10 Tolerances for test weight apparatuses.

The maintenance tolerances for test weight per bushel apparatuses shall be:

Item	Tolerance ¹
(a) Beam accuracy.....	±0.10
(b) Weighing accuracy.....	±0.15

¹ Deviation from standard—mass.

² Pound per bushel at any reading.

³ Pound per bushel (mean deviation from standard).

(Sec. 8 and 18, Pub. L. 95-582, 90 Stat. 2870 and 2884 (7 U.S.C. 79b and 87e))

Done in Washington, D.C., on: January 7, 1982

K. A. Gilles,
Administrator.

[FR Doc. 82-1477 Filed 1-20-82; 8:45 am]

BILLING CODE 3410-EN-M

Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Reg. 536, Amdt. 1; Navel Orange Reg. 537]

Navel Oranges Grown in Arizona and Designated Part of California; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This action establishes the quantity of fresh California-Arizona navel oranges that may be shipped to market during the period January 22-January 28, 1982, and increases the quantity of such oranges that may be so shipped during the period January 15-January 21, 1982. Such action is needed to provide for orderly marketing of fresh navel oranges for the periods specified due to the marketing situation confronting the orange industry.

DATES: This regulation becomes effective January 22, 1982, and the amendment is effective for the period January 15-21, 1982.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, (202) 447-5975.

SUPPLEMENTARY INFORMATION: *Findings.* This rule has been reviewed under Secretary's Memorandum 1512-1, and Executive Order 12291 and has been designated a "non-major" rule. This regulation and amendment are issued under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The agreement and order are

effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The action is based upon the recommendation and information submitted by the Navel Orange Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1981-82. The marketing policy was recommended by the committee following discussion at a public meeting on October 6, 1981. The committee met again publicly on January 19, 1982 at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of navel oranges deemed advisable to be handled during the specified weeks. The committee reports the demand for navel oranges is good.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the *Federal Register* (U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation and amendment are based and the effective date necessary to effectuate the declared policy of the act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting, and the amendment relieves restrictions on the handling of navel oranges. It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and effective time.

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

1. Section 907.837 is added as follows:

§ 907.837 Navel orange regulation 537.

The quantities of navel oranges grown in Arizona and California which may be handled during the period January 22, 1982, through January 28, 1982, are established as follows:

- (1) District 1: 1,147,000 cartons;
- (2) District 2: 203,000 cartons;
- (3) District 3: Unlimited cartons;
- (4) District 4: Unlimited cartons.

2 Section 907.836 *Navel Orange Regulation 536* (47 FR 2074), is hereby amended to read:

§ 907.836 Navel orange regulation 536.

- (1) District 1: 1,720,000 cartons;
- (2) District 2: 130,000 cartons;
- (3) District 3: Unlimited cartons;
- (4) District 4: Unlimited cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: January 20, 1982.

D. S. Kuryloski,

*Deputy Director, Fruit and Vegetable
Division, Agricultural Marketing Service.*

[FR Doc. 82-1685 Filed 1-20-82; 11:41 am]

BILLING CODE 3410-02-M

Statistical Reporting Service**7 CFR Ch. XII, Part 1300****Peanut Statistics**

AGENCY: Statistical Reporting Service, USDA.

ACTION: Final rule.

SUMMARY: The Statistical Reporting Service (SRS) is removing regulations for the monthly reporting of quantities of peanuts and peanut oil received, processed, shipped, and owned by or in the possession of various persons. The Agency has determined that these specific regulations are unnecessary, since the rules and procedures for the collection and publication of peanut statistics are covered under the general USDA administrative regulations for the preparation of agricultural data estimates. This action will not affect the authority of SRS for the collection and publication of peanut statistics, nor will it affect the methods and procedures by which this information is gathered. This action also does not alter the categories of persons who are required by statute to furnish monthly reports.

EFFECTIVE DATE: February 22, 1982.

FOR FURTHER INFORMATION CONTACT: Donald W. Barrowman, Director, Estimates Division, Statistical Reporting Service, USDA, Washington, D.C. 20250; Telephone (202) 447-2122.

SUPPLEMENTARY INFORMATION: This final action has been reviewed under Executive Order 12291 and Secretary's Memorandum 1512-1 and has been classified a "nonmajor" rule. The Department has determined that this rule will not have any effect on the economy; will not cause any increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and should have no adverse effects on competition, employment, investment, productivity, or the ability of United States-based enterprises to

compete with foreign-based enterprises in domestic or export markets.

William G. Leshner, Assistant Secretary for Economics, USDA, has determined that this action will not have a significant economic impact on a substantial number of small entities because it will not change any aspect of the present information collection and publication procedures for peanut statistics.

The Office of Management and Budget (OMB) has previously cleared the reporting and recordkeeping requirements for peanut statistics published by SRS in the Peanut Stocks and Processing Report. The OMB clearance number for this report is 0535-0018.

Under the act of June 24, 1936, as amended (49 Stat. 1898; 7 U.S.C. 951-957), the Secretary of Agriculture is authorized and directed to collect and publish statistics of raw peanuts, shelled, unshelled, and crushed, and peanut oil, in the United States, received, processed, shipped, and owned by or in the possession of warehousemen, brokers, cleaners, shellers, dealers, growers' cooperative associations, crushers, salters, manufacturers of peanut products, and owners other than the original producers of peanuts. The act also authorizes the Secretary to make implementing rules and regulations. These rules are presently codified in 7 CFR Part 1300. In a recent review of the existing peanut statistics regulations, SRS found that they overlap and are subsumed within the general USDA administrative regulations for the preparation of agricultural data estimates (Departmental Regulation 1042-42). The Agency has determined that the most cost-effective option is to eliminate these unnecessary and redundant regulations. Since this amendment imposes no additional burden on any person, it has been determined that preliminary notice and public procedure hereon are impracticable.

**CHAPTER XII—STATISTICAL
REPORTING SERVICE
(AGRICULTURAL STATISTICS),
DEPARTMENT OF AGRICULTURE
(RESERVED)**

**PART 1300—PEANUT STATISTICS
(REMOVED)**

Accordingly, 7 CFR is amended by removing Part 1300 and reserving Chapter XII.

Signed at Washington, D.C., on January 15, 1982.

John R. Block,
Secretary.

[FR Doc. 82-1446 Filed 1-20-82; 8:45 am]

BILLING CODE 3410-20-M

FEDERAL RESERVE SYSTEM**12 CFR Parts 207, 220, and 221**

[Docket No. R-0362]

**Securities Credit Transactions;
Regulations G, T, and U; Revision and
Simplification of the Margin
Regulations**

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: Comments have been received on a major revision of the Board's margin rules published in the *Federal Register* on June 24, 1981 and July 21, 1981 (46 FR 32592 and 46 FR 37516). Although the complete rewriting of the regulations in simplified language cannot be completed for some months, the Board has decided to amend the existing rules at this time to grant relief and flexibility in areas where the comments disclosed no substantial disagreement with the Board's proposals and the amendments can be adopted without substantial modification of the wording of the existing regulations. The Board is therefore: (1) Amending Regulation G to permit G-lenders to extend both regulated and nonregulated credit to the same borrower and to permit mixed collateral loans. These changes parallel existing rules in Regulation U. In addition, the definition of "indirectly secured" in Regulation G will be changed to provide a narrower and more explicit definition than the one in the present rule; (2) amending Regulation T to permit brokers and dealers to arrange credits that they cannot presently extend when those arrangements are part of investment banking functions; (3) amending Regulation U to exclude from quantitative limitation bank credit which is not secured by margin stock and to define the term "indirectly secured" in a more objective manner than in the present regulation. This definition will be the same as that in Regulation G; (4) removing the equity building devices in Regulations G, T and U.

EFFECTIVE DATE: February 15, 1982 except for the amendment to Regulation U to exempt from quantitative limitation bank credit which is not secured by

margin stock. The effective date of that amendment is March 31, 1982.

FOR FURTHER INFORMATION CONTACT: Laura Homer, Securities Credit Officer, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, (202) 452-2781, or Mindy Silverman, Assistant Counsel, Federal Reserve Bank of New York, (212) 791-5032.

SUPPLEMENTARY INFORMATION:

Indirect Security in Regulations G and U

The Board is amending Regulations G and U to narrow the definition of "indirectly secured." The present definition has caused undue regulatory burden since it is premised on a subjective standard that is difficult to interpret and administer. It is expected that many of the interpretive problems that now exist under Regulation U will be mooted as the Board is also adopting its proposal to eliminate nonmargin stock from the collateral test in Regulation U. However, to further reduce the complexity of interpretation engendered by the "indirect security" concept, the Board is adopting a more objective definition under both regulations.

In response to comments that were received, two changes were made in the definition that was published for comment. First, subsection (1) was revised to refer to "value of the assets * * * as determined by any reasonable method" rather than "fair market value"; second, subsection (2) was amended to make clear that cross default provisions relating to agreements between the borrower and an unaffiliated lender would not be construed as creating indirect security.

Restrictions on Regulation G-Lenders

Lenders subject to Regulation G are currently prohibited from extending regulated loans and non-purpose loans to the same borrower if the non-purpose loan is over \$5,000 and both loans are secured by the same margin securities. In addition, G-lenders are prohibited from extending purpose credit on assets other than margin equity securities concurrently with or subsequent to an extension of purpose credit secured by margin equity securities to the same borrower. The Board is amending Regulation G to permit G-lenders to extend both non-purpose and purpose credit secured by assets other than margin equity securities concurrently with the extension of regulated purpose credit. This will provide a regulatory structure comparable to that presently applicable to banks under Regulation U.

The Collateral Test in Regulation U

The Board is amending Regulation U so that only purpose loans secured by any margin stock will be subject to the margin restrictions and only loans secured by any margin stock will require the execution of a Form U-1. The Form U-1 has been changed to reflect this amendment and to reduce compliance burdens. A copy of the new form is being filed with the Office of the Federal Register as part of this document and copies of the new form will be available from the Federal Reserve Banks prior to the effective date of the amendment.

The Arranging of Credit by a Broker or Dealer in Regulation T

Section 220.7(a) of Regulation T presently restricts a broker or dealer in arranging credit. The Board is amending the section to permit investment banking services which involve the arranging of credit. In response to comments on the original proposal, the language proposed in June, 1981 has been modified to make it clear that the types of permissible investment banking services listed are illustrative only and are not intended to be the only permissible investment banking services which may be undertaken.

Equity-Building Features

The equity-building features in Regulations G, T and U serve to force investors to retire indebtedness faster than they might otherwise choose as the price of effecting reallocation of assets in their portfolios. The retention requirement is presently 70 per cent while the initial margin is 50 per cent. When a security is sold, 70 per cent of the proceeds must be retained. The 20 per cent differential is one equity-building feature. The other equity-building feature prohibits the daily netting out of all transactions in highly-leveraged accounts. Because sales and purchases on a given day cannot be netted out before the margin is computed, the margin required for accounts with less than 30 per cent equity is presently greater than for other accounts, thereby building up the customers' equity. The substance of this proposal will be put into effect by lowering the retention requirement from 70 to 50 per cent and by changing the minimum equity ratio to zero. When the three regulations are completely rewritten at a later date the needed language changes throughout the regulations will be made.

Accordingly, pursuant to sections 7 and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78g, 78w) the Board amends Regulations G, T and

U (Parts 207, 220 and 221, respectively) as follows:

PART 207—SECURITIES CREDIT BY PERSONS OTHER THAN BANKS, BROKERS, OR DEALERS

A. Section 207.1 of Regulation G is amended by revising paragraphs (h) and (i).

Existing paragraphs (h) and (i) are removed and the following new paragraphs (h) and (i) are added:

§ 207.1 General rule.

(h) *Purpose and nonpurpose credit extended to the same customer.* (1) The lender shall identify all the collateral used to meet the requirements of § 207.1(c) (the entire credit being considered a single credit and collateral being similarly considered) and shall not cancel the identification of any portion thereof except in circumstances that would permit the withdrawal of that portion. Such identification may be made by any reasonable method.

(2) For any credit extended to the same customer that is not subject to § 207.1(c) the lender shall in good faith require as much collateral not so identified as would be required (if any) if the lender held neither the indebtedness subject to § 207.1(c) nor the identified collateral.

(i) *Purpose credit secured by margin securities and other collateral.* A lender may extend credit for the purpose of purchasing or carrying margin securities secured by collateral other than margin securities, and, in the case of such credit, the maximum loan value of the collateral shall be as determined by the lender in good faith.

B. Section 207.2 of Regulation G is amended by revising § 207.2(i) to read as follows:

§ 207.2 Definitions.

(i) *Indirectly secured.* The term "indirectly secured" includes any arrangement with the customer under which the customer's right or ability to sell, pledge, or otherwise dispose of margin securities owned by the customer is in any way restricted as long as the credit remains outstanding or under which the exercise of such right is or may be cause for acceleration of the maturity of the credit.

The foregoing shall not apply:

(1) If, following application of the proceeds of the credit, not more than 25 percent of the value of the assets subject to the arrangement, as determined by

any reasonable method, are margin securities;

(2) To a lending arrangement that permits acceleration of the maturity of the credit as a result of a default under, or the renegotiation of the terms of, another credit to the same customer by another lender that is not an affiliate* of the G-lender; or

(3) If the margin securities are held by the lender only in the capacity of custodian, depository, or trustee, or under similar circumstances, and the lender in good faith has not relied upon such margin securities as collateral in the extension or maintenance of the particular credit.

* * *

§ 207.5 [Amended]

C. Section 207.5—*Supplement*, is amended by changing the existing 70 per cent retention requirement to 50 per cent in § 207.5(c) and changing the existing 30 per cent minimum equity ratio to zero per cent in § 207.5(f).

PART 220—CREDIT BY BROKERS AND DEALERS

D. Section 220.7 of Regulation T is amended by revising § 220.7(a) to read as follows:

§ 220.7 Miscellaneous provisions.

(a) *Arranging for loans by others.* A creditor may not arrange for the extension or maintenance of credit to or for any customer by any person upon terms and conditions other than those upon which the creditor may himself extend or maintain under the provisions of this Part, except that this limitation shall not apply to credit arranged for a customer which does not violate Parts 207 and 221 of this chapter and results solely from:

(1) Investment banking services, provided by the creditor to the customer, including, but not limited to underwritings, private placements, and advice and other services in connection with exchange offers, mergers and acquisitions, except for underwritings that involve the public distribution of an equity security with installment or other deferred payment provisions; or

(2) The sale of non-margin securities with installment or other deferred payment provisions if the sale is exempted from the registration requirements of the Securities Act of 1933 under section 4(2) or section 4(6) of the Act (15 U.S.C. 77(d) (2) and (6)).

* * *

*For this purpose the term "affiliate" shall mean a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with the lender.

§ 220.8 [Amended]

E. Section 220.8—*Supplement* is amended by changing the existing 70 per cent retention requirement to 50 per cent in § 220.8(e) (1), (3) and (4) and by changing the existing 70 per cent maximum loan value to 100 per cent in § 220.8(g)(1) and the existing 30 per cent margin to zero per cent margin in § 220.8(g)(2).

PART 221—CREDIT BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING MARGIN STOCKS

§§ 221.1, 221.3 and 221.4 [Amended]

F. Sections 221.1, 221.3 and 221.4 are amended by adding the word "margin" before the word "stock" in the following paragraphs:

Sections 221.1(a), (b) and (c); 221.3(a), (m), (p), (q), (r)(2), (s) and (t)(4); 221.4(a) and (c) of Regulation U are amended by adding the word "margin" before the word "stock" in every place that it appears.

G. Section 221.3 of Regulation U is amended by revising § 221.3(c) to read as follows:

§ 221.3 Miscellaneous Provisions.

* * *

(c) *Indirectly secured.* The term "indirectly secured" includes any arrangement with the customer under which the customer's right or ability to sell, pledge, or otherwise dispose of margin stock owned by the customer is in any way restricted as long as the credit remains outstanding or under which the exercise of such right is or may be cause for acceleration of the maturity of the credit.

The foregoing shall not apply:

(1) If, following application of the proceeds of the credit, not more than 25 percent of the value of the assets subject to the arrangement, as determined by any reasonable method, are margin stock;

(2) To a lending arrangement that permits acceleration of the maturity of the credit as a result of a default under, or the renegotiation of the terms of, another credit to the same customer by another lender that is not an affiliate¹ of the bank; or

(3) If the margin stock is held by the bank only in the capacity of custodian, depository, or trustee, or under similar circumstances, and the bank in good

¹For this purpose the term "affiliate" shall mean a bank holding company of which the bank is a subsidiary within the meaning of the Bank Holding Company Act of 1956, as amended, or any other subsidiary of such bank holding company, or any other corporation, business trust, association or other similar organization which is an affiliate as defined in section 2(b) of the Banking Act of 1933 (12 U.S.C. 221a).

faith has not relied upon such margin stock as collateral in the extension or maintenance of the particular credit.

§ 221.4 [Amended]

H. Section 221.4—*Supplement* is amended by changing the existing 70 per cent retention requirement to 50 per cent in § 221.4(c) and changing the existing 30 per cent minimum equity ratio to zero per cent in § 221.4(f).

Regulatory Flexibility Analysis

The Board of Governors of the Federal Reserve System has received comments on the two sets of proposed changes to its margin regulations that were published for comment in June and July of 1981. Because some of these proposed changes received overwhelmingly favorable comments from the public and can be put into effect without substantial modification in the wording of the existing Regulations, implementation of these changes need not await completion of the thorough rewrite of the Regulations.

Although the proposals selected for immediate implementation require only minimal regulatory language changes, they offer substantial regulatory relief. As discussed in the "Initial Regulatory Flexibility Analysis" of the June and July Federal Register notices, these changes will relax regulatory treatment of individual and business borrowers, enhance the financing capabilities of small as well as large businesses, and increase the consistency of treatment across all lenders.

By order of the Board of Governors of the Federal Reserve System, January 13, 1982.

William W. Wiles,
Secretary of the Board.

This form is required by law (15 U.S.C. 78g and 78w; 12 CFR (Part 221).

F.R. U-1, O.M.B. No. 7100-0115,
Approval expires _____

Board of Governors of the Federal Reserve System

Statement of Purpose for an Extension of Credit Secured by Margin Stock

(Name of Bank)

(Federal Reserve Form U-1)

Instructions

(1) This form must be completed when a bank extends credit secured directly or indirectly, in whole or in part, by any margin stock.

(2) The term "margin stock" is defined in Regulation U (12 CFR Part 221) and includes, principally: (1) stocks that are registered on a national securities

exchange or that are on the Federal Reserve Board's List of OTC Margin Stocks; (2) debt securities (bonds) that are convertible into margin stocks; and (3) shares of mutual funds, unless 95 per cent of the assets of the fund are continuously invested in U.S. government, agency, State, or municipal obligations.

(3) Please print or type (if space is inadequate, attach separate sheet).

Part I To be Completed by Borrower(s)

(1) What is the amount of the credit being extended?

(2) Will any part of this credit be used to purchase or carry margin stock?

yes no

If the answer is "no," describe the specific purpose of the credit _____

I (we have read this form and certify that to the best of my (our) knowledge and belief the information given is true, accurate, and complete, and that the margin stock and any other securities collateralizing this credit are authentic, genuine, unaltered, and not stolen, forged, or counterfeit.

Signed _____
(Borrower's signature) (Date)

(Print or type name)
Signed _____
(Borrower's signature) (Date)

(Print or type name)

This form should not be signed in blank.

A borrower who falsely certifies the purpose of a credit on this form or otherwise willfully or intentionally evades the provisions of Regulation U will also violate Federal Reserve Regulation X, "Rules Governing Borrowers Who Obtain Securities Credit."

Part II To be completed by bank only if the purpose of the credit is to purchase or carry margin stock (Part I(2) answered "yes").

(1) List the margin stock securing this credit; do not include debt securities convertible into margin stock. The maximum loan value of margin stock is _____ percent of its current market value under the current Supplement to Regulation U.

No. of shares	Issue	Market price per share	Date and source of valuation (see note below)	Total market value per issue

(2) List the debt securities convertible into margin stock securing this credit. The maximum loan value of such debt securities is _____ percent of the current market value under the current Supplement to Regulation U.

Principal amount	Issue	Market price	Date and source of valuation (see note below)	Total market value per issue

(3) List other collateral including non-margin stock securing this credit.

Describe briefly	Market price	Date and source of valuation (see note below)	Good faith loan value

Note.—Bank need not complete "Date and source of valuation" if the market value was obtained from regularly published information in a journal of general circulation.

Part III To be signed by a bank officer in all instances.

I am a duly authorized officer of the bank and understand that this credit secured by margin stock may be subject to the credit restrictions of Regulation U. I have read this form and any attachments, and I have accepted the customer's statement in Part I in good faith as required by Regulation U,² and I certify that to the best of my knowledge and belief, all the information given is true, accurate, and complete. I also certify that if any securities that directly secure the credit are not or will not be registered in the name of the borrower or its nominee, I have or will cause to have examined the written consent of the registered owner to pledge such securities. I further certify that any securities that have been or will be physically delivered to the bank in connection with this credit have been or will be examined, that all validation procedures required by bank policy and the Securities Exchange Act of 1934 (section 17(f), as amended) have been or will be performed, and that I am satisfied to the best of my knowledge and belief that such securities are

²To accept the customer's statement in good faith, the officer of the bank must be alert to the circumstances surrounding the credit and, if in possession of any information that would cause a prudent person not to accept the statement without inquiry, must have investigated and be satisfied that the statement is truthful. Among the facts which would require such investigation are receipt of the statement through the mail or from a third party.

genuine and not stolen or forged and their faces have not been altered.

Date _____
(Title)
Signed _____
(Bank officer's signature)

(Print or type name)

This form must be retained by the bank for at least three years after the credit is extinguished.

[FR Doc. 82-1410 Filed 1-20-82; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 81-AEA-69]

Alteration of Control Zone and Transition Area: Calverton, New York

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule alters the description of the Calverton, New York, Control Zone and Transition Area for Peconic River Plant (Grumman) Airport by changing the name of the airport to Calverton Naval Weapons Industrial Reserve Plant (Peconic Field).

EFFECTIVE DATE: January 21, 1982.

FOR FURTHER INFORMATION CONTACT: A. J. Reale, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION: This rule is editorial and does not impose any additional burden on any person. In view of the foregoing, notice and public procedure hereon are unnecessary, and the rule may be made effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Subparts F and G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective January 21, 1982 as follows:

1. Amend § 71.171 of Part 71, Federal Aviation Regulations, by altering the description of the Calverton, New York, Control Zone by removing, "of Peconic River Plant (Grumman) Airport," and by substituting, "of Calverton Naval Weapons Industrial Reserve Plant (Peconic Field)," therefor.

2. Amend § 71.181 of Part 71, Federal Aviation Regulations, by altering the description of the Calverton, New York, 700-foot floor transition area by removing, "of Peconic River Plant (Grumman) Airport," and by substituting, "of Calverton Naval Weapons Industrial Reserve Plant (Peconic Field)," therefor.

(Sec. 307(a), and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Jamaica, New York on December 31, 1981.

Timothy L. Hartnett,

Acting Director, Eastern Region.

[FR Doc. 82-1413 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-EA-64]

Alteration of Control Zone and Transition Area: Martinsburg, West Virginia; Lehigh, Pennsylvania

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule alters the description of the Martinsburg, W. Va., Control Zone and Transition Area, and Lehigh, Pa., Transition Area over Eastern West Virginia Regional Airport (now Eastern West Virginia Regional/Shepherd Field Airport) and Carbon County Airport (now Jake Arner Memorial Airport), respectively. The description of both airspaces must be amended to describe the name change at both airports.

EFFECTIVE DATE: January 21, 1982.

FOR FURTHER INFORMATION CONTACT: A. J. Reale, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION: This rule is editorial in nature. In view of the

foregoing, notice and public procedure hereon are unnecessary, and the rule may be made effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Subparts F and G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective January 21, 1982, as follows:

1. Amend § 71.171 of Part 71, Federal Aviation Regulations, by altering the description of the Martinsburg, West Virginia, Control Zone by removing "Eastern West Virginia Regional Airport," and by substituting, "Eastern West Virginia Regional Airport/Shepherd Field Airport," therefor.

2. Amend § 71.181 of Part 71, Federal Aviation Regulations, by altering the description of the Martinsburg, West Virginia, 700-foot floor transition area description by removing, "Eastern West Virginia Regional Airport," and by substituting, "Eastern West Virginia Regional Airport/Shepherd Field Airport," therefor.

3. Amend § 71.181 of Part 71, Federal Aviation Regulations, by altering the description of the Lehigh, Pennsylvania, 700-foot floor transition area by removing, "Carbon County Airport," and by substituting, "Jake Arner Memorial Airport," therefor.

(Sec. 307(a), and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The Federal Aviation Administration has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Jamaica, New York, on December 31, 1981.

Timothy L. Hartnett,

Acting Director, Eastern Region.

[FR Doc. 82-1416 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-AEA-59]

Alteration of Control Zone and Transition Area: Huntington, West Virginia

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule alters the description of the Huntington, West Virginia, Control Zone and Transition Area for Tri-State Airport by deleting the present eastern extensions at the area and zone. This results from an implementation of a new ILS RWY 30 instrument procedure and cancellation of the old.

EFFECTIVE DATE: 0901 G.m.t., January 21, 1982.

FOR FURTHER INFORMATION CONTACT: A. J. Reale, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION: The rule deletes controlled airspace and does not impose any additional burden on any person. In view of the foregoing, notice and public procedure hereon are unnecessary, and the rule may be made effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Subparts F and G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.m.t., January 21, 1982, as follows:

1. Amend § 71.171 of Part 71, Federal Aviation Regulations, by altering the description of the Huntington, West Virginia, Control Zone by removing, "and within 3.5 miles each side of the Tri-State Airport (Walker-Long Field) ILS localizer east course, extending from the 6-mile radius zone to 4.5 miles east of the Shoals, West Virginia, FM."

2. Amend § 71.181 of Part 71, Federal Aviation Regulations, by altering the description of the Huntington, West Virginia, 700-foot floor transition area by removing, "within 4.5 miles each side of the Tri-State Airport (Walker-Long Field) ILS localizer east course, extending from the 11-mile radius area to 6 miles east of the Shoals, W. Va., FM."

(Sec. 307(a), and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Jamaica, New York on December 31, 1981.

Timothy L. Hartnett,

Acting Director, Eastern Region.

[FR Doc. 82-1418 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 73

[Airspace Docket No. 81-AGL-40]

Revocation of Restricted Area, R-6905—Lake Michigan

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment revokes Restricted Areas R-6905 A and B in the Lake Michigan area. The University of Wisconsin has completed its meteorological studies of the lower atmosphere over Lake Michigan and request that Restricted Areas R-6905 A and B be withdrawn.

This action revokes Restricted Area R-6905 A and B.

DATES: Effective Date—March 18, 1982.

Comments must be received on or before February 22, 1982.

ADDRESSES: Send comments on the rule in triplicate to: Director, FAA Great Lakes Region, Attention: Chief, Air Traffic Division, Docket No. 81-AGL-40, Federal Aviation Administration, 2300 East Devon, Des Plaines, IL 60018.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591.

An informal docket may be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence

Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8783.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule which involves the revocation of Restricted Areas R-6905 A and B and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic and energy aspects of the rule that might suggest the need to modify the rule. Send comments on environmental and land use aspects to: Director, FAA Great Lakes Region, Attention: Chief, Air Traffic Division, Docket No. 81-AGL-40, Federal Aviation Administration, 2300 East Devon, Des Plaines, IL 60018.

The Rule

The purpose of this amendment to § 73.69 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) is to revoke Restricted Areas R-6905 A and B. The University of Wisconsin has completed meteorological studies of the lower atmosphere over Lake Michigan and has requested that the Restricted Area be withdrawn. This action revokes R-6905 A and B. Section 73.69 of Part 73 of the Federal Aviation Regulations was republished in the *Federal Register* on January 2, 1981 (46 FR 829). Under the circumstances presented, the FAA concludes that there is an immediate need for a regulation to revoke Restricted Areas R-6905 A and B and return that airspace for public use. Therefore, I find that notice or public procedure under 5 U.S.C. 533(b) is contrary to the public interest.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 73.69 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) as republished (46 FR 829), is amended, effective 0901 G.m.t., March 18, 1982, as follows:

R-6905A Lake Michigan [Removed]
"R-6905A Title and text is removed."
R-6905B Lake Michigan [Removed]
"R-6905B Title and text is removed."

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on January 15, 1982.

John W. Baier,

Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 82-1420 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 193

[FAP OH5257/R94; PH-FRL-2022-2]

Tolerances for Pesticides in Food Administered by the Environmental Protection Agency; (+) Cyano (3-Phenoxyphenyl) Methyl (+)-4-(Difluoromethoxy)-Alpha-(1-Methyl-ethyl) Benzeneacetate

Correction

In FR Doc. 82-319 appearing on page 616 in the issue of Wednesday, January 6, 1982, make the following correction:

On page 616, in § 193.99, at the top of the third column, the part per million now reading "0.02" should have read "0.2".

BILLING CODE 1505-01-M

DEPARTMENT OF TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 7802]

Travel Expenses of Members of Congress; Deductions

AGENCY: Internal Revenue Service, Treasury.

ACTION: Temporary regulations.

SUMMARY: This document contains temporary regulations relating to deductions for Members of Congress for travel expenses in Washington, D.C. allowed without substantiation. Changes to the applicable law were made by the Black Lung Benefits Amendments of 1981. The regulations would provide Members of Congress with guidance as to the amount they may deduct without substantiation for amounts relating to travel away from home in Washington, D.C.

DATE: The regulations are effective for taxable years beginning after December 31, 1980.

FOR FURTHER INFORMATION CONTACT: Jason R. Felton of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224 Attention: CC:LR:T, (202)566-3318, not a toll-free call.

SUPPLEMENTARY INFORMATION:

Background

Section 162 allows a taxpayer a deduction for all ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade or business including traveling expenses while away from home. For this purpose, the residence of a Member of Congress within the District or State which he represents is to be considered his home. Therefore, most Members will be entitled to deduct all their living expenses including meals and lodging while discharging their Congressional duties in Washington, D.C. Under section 274, traveling expenses while away from home must be substantiated.

Until recently, a Member's deduction for these expenses was limited to \$3,000. Section 139(a) of Pub. L. 97-51 as amended by section 133(a) of Pub. L. 97-92 eliminated this \$3,000 limitation for taxable years beginning December 31, 1980. Section 113(b) of the Black Lung Benefits Revenue Act of 1981 amended subsection (f) of section 280A to require the Secretary or his delegate to prescribe amounts that would be deductible by Members of Congress in Washington, D.C. as travel expenses without substantiation.

The regulations provide that Members of Congress may deduct a designated amount for each Congressional day in the year. The designated amount is determined by reference to the maximum amount of reimbursement available to a government employee traveling in Washington, D.C.

Congressional days are determined by reducing the number of days in the year by periods in which Congress is not in session for 5 or more consecutive days. The number of Congressional days may be different for the House of Representatives and the Senate.

A Member of Congress may elect to deduct the amounts prescribed by this section without substantiating such amounts. In such a case, no other deductions will be allowed for meals, lodging, or other incidental travel expenses. However, travel expenses incurred away from the Washington, D.C. area will continue to be deductible in addition to the amounts prescribed by the new regulation.

Drafting Information

The principal author of these temporary regulations is Jason R. Felton of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations, on matters of both substance and style.

Adoption of Amendments to the Regulations

Accordingly, a new Part 5e Temporary Income Tax Regulations Travel Expenses of Members of Congress is added to Title 26 of the Code of Federal Regulations. Part 5e reads as follows:

PART 5e—TEMPORARY INCOME TAX REGULATIONS, TRAVEL EXPENSES OF MEMBERS OF CONGRESS

Sec.
5e.274-8 Travel Expenses of Members of Congress.

Authority: Secs. 28CA(f) (4) (B) and 7805 Internal Revenue Code of 1954 (95 Stat. 1641, 26 U.S.C. 280A(f) (4) (B); 68A Stat. 917, 26 U.S.C. 7805).

§ 5e.274-8 Travel Expenses of Members of Congress.

(a) *In general.* Members of Congress (including any Delegate and Resident Commissioner) who are away from home within the meaning of section 162 (a), in the Washington, D.C. area, may elect in accordance with paragraph (f) of this section to deduct an amount described in paragraph (c) of this section as living expenses, without substantiation. A Member who elects under this section may not deduct any amount for the living expenses described in paragraph (b). A Member

who does not make an election under this section must substantiate his expenses for living in Washington, D.C. in accordance with section 274 and § 1.274-5.

(b) *Living expenses covered.* The amount allowed to be deducted without substantiation, pursuant to this section, for costs incurred for living in the Washington, D.C. area represents amounts expended for meals, lodging, and other incidental expenses. Meals include the actual cost of the food and expenses incident to the preparation and serving thereof. Lodging includes amounts paid for rent, care of premises, utilities, insurance and depreciation of household furnishings owned by the Member. In the case of a Member who lives in a residence owned by him in the Washington, D.C. area, the cost of lodging also includes depreciation on such residence. Other incidental expenses include laundry, cleaning, and local transportation. Local transportation includes travel within a 50 mile radius of Washington, D.C., whether by private automobile, taxicab or other transportation for hire. Interest and taxes on personal property will not be considered expenses to be included within this paragraph.

(c)(1) *Amounts allowed without substantiation.* The amount that may be deducted pursuant to section 162 and these regulations is an amount equal to the product of the number of Congressional days in the taxable year, multiplied by the designated amount. The designated amount is—

(i) In the case of a Member who deducts interest and taxes attributable to the ownership of a personal residence in the Washington, D.C. area, two-thirds of the maximum amount of actual subsistence for Washington, D.C. payable pursuant to 5 U.S.C. 5707(c), or

(ii) In the case of a Member not described in paragraph (c)(1)(i), the maximum amount of actual subsistence for Washington, D.C. Payable pursuant to 5 U.S.C. 5707(c).

A Member who incurs interest and taxes on his residence in the Washington, D.C. area may forego the deduction of such amounts and use the designated amount prescribed by paragraph (c)(1)(ii).

(2) If a Member, who lives in a residence owned by him in the Washington, D.C. area, chooses to deduct amounts prescribed in paragraph (c)(1) of this section, the Member must treat as an adjustment to the basis of

such residence an amount equal to 20 percent of the maximum amount of actual subsistence multiplied by the number of Congressional days. Such adjustments will be considered a proper adjustment for exhaustion, wear, and tear under this subtitle.

(d) *Congressional days.* The number of Congressional days with respect to a Member is the number of days in the taxable year less the number of days in periods in which the Member's Congressional chamber was not in session for 5 consecutive days or more (including Saturday and Sunday). The number of days with respect to a Member is determined without regard to whether or not the Member was in the Washington, D.C. area on such days.

(e) *Other deductible amounts.* This section does not preclude the deduction of otherwise allowable expenses for travel fares (other than local travel in the Washington, D.C.), long distance telephone and telegraph, and travel expenses incurred other than in the Washington, D.C. area. However, such expenses are subject to the substantiation requirements of section 274.

(f) *Election.* To elect to deduct the amounts prescribed by this section, a Member must attach to his return for the taxable year a statement indicating, (1) that the deduction for travel expenses while living in the Washington, D.C. area are computed pursuant to § 5e.274-8, and (2) whether a separate deduction is being taken for interest and taxes paid or incurred with respect to the personal residence of the Member if in the Washington, D.C. area.

(g) *Effective date.* This section is effective for taxable year beginning after December 31, 1980.

(h) *Examples.* The following examples are based on a calendar from a Final Edition of the Calendar of the United States, House of Representatives and History of Legislation. The marked days indicate days the House of Representatives was in session.

Example (1). In determining the number of Congressional days for 198X for which the designated amount may be computed, the number of days in such year is reduced by 125 days determined as follows:

	Days
Feb. 14-18	5
Apr. 3-14	12
May 23-27	5
July 3-20	18
Aug. 2-17	16
Aug. 29-Sept. 2	5
Oct. 3-Nov. 11	40
Nov. 22-Nov. 30	9
Dec. 17-Dec. 31	15
Total	125

Thus for 198X (a leap year) a typical Member of the House of Representatives will have 241 (366 - 125) Congressional days.

Example (2). On August 1, Z a calendar year taxpayer is elected to the Congress to fill the unexpired term of Member Y. In determining the number of Congressional days, Z may only consider the number of days during the year for which he was a Member of Congress. For Z the number of Congressional days is 68.

Example (3). Member X, a calendar year taxpayer, owns his own home in Washington, D.C., where he lives with his family. While in Washington, D.C., Member X is away from home within the meaning of section 162(a). X maintains no records attributable to his expenses in Washington, D.C. X has been a Member of Congress for the entire year. The maximum amount of subsistence for Washington, D.C. for 198X is \$75. X may deduct for 198X \$18,075 (241 days × \$75) attributable to expenses while away from home in Washington, D.C. Even if X maintained records as to living expenses in

Washington, D.C., X may choose to deduct \$18,075 as the total amount attributable to living expenses in Washington, D.C. If X deducts \$18,075 X may not deduct any interest and taxes under section 163 or 164 attributable to the residence in Washington, D.C.

Example (4). Member C, a calendar year taxpayer owns his own home in Washington, D.C., where he lives with his family. While in Washington, D.C. Member C is away from home within the meaning of section 162(a). C can establish that he paid \$12,000 as interest on a mortgage and \$3,000 in local real estate taxes. C has been a Member of Congress for the entire year. C may choose to deduct \$12,050 (241 days × [$\frac{1}{2}$ × \$75]) attributable to expenses in Washington, D.C. Further, C may deduct under sections 163 and 164 \$12,000 of interest and \$3,000 of taxes respectively.

Example (5). Assume the same facts as in Example (4). In addition, on March 15, 16, and 17, Member C travels to New York City to deliver a speech for which he receives an honorarium which he includes in income. C receives no additional amounts for travel reimbursement. While in New York City C incurs \$350 for 3 nights lodging at a hotel and \$150 for meals. In addition to the amounts deductible pursuant to this section, C may deduct the \$500 as a travel expenses. Such deduction is subject to the substantiation rules of section 274.

Example (6). Assume the same facts as example (5). Member C receives, in addition to the honorarium, \$600 reimbursement for travel expenses. C must include the \$600 in income and may deduct the travel expenses he incurred.

There is a need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is found impractical to issue it with notice and public procedure under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation to subsection (d) of that section.

This Treasury decision is issued under the authority contained in sections 280A(f)(4)(B) and 7805 of the Internal Revenue Code of 1954 (95 Stat. 1641; 26 U.S.C. 7805, 68A Stat. 917; 26 U.S.C. 7805).

Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

Approved: January 13, 1982.

John E. Chapoton,

Assistant Secretary of the Treasury.

[FR Doc. 82-1267 Filed 1-15-82; 10:48 am]

BILLING CODE 4830-01-M

198X						
JANUARY						
Sun	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				
FEBRUARY						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						
MARCH						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
APRIL						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					
MAY						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
JUNE						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
JULY						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
AUGUST						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
SEPTEMBER						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					
OCTOBER						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
NOVEMBER						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					
DECEMBER						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 936

Approval of the Abandoned Mine Land Reclamation Plan for the State of Oklahoma Under the Surface Mining Control and Reclamation Act of 1977

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule.

SUMMARY: On July 30, 1981, the State of Oklahoma submitted to OSM its proposed Abandoned Mine Land Reclamation Plan (Plan) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The purpose of this submission is to demonstrate the State's intent and capability to assume responsibility for administering and conducting the Abandoned Mine Land Reclamation Program established by Title IV of SMCRA and regulations adopted by OSM (30 CFR Chapter VII, Subchapter R., 43 FR 49932-49952, October 25, 1978). After opportunity for public comment and review of the plan submission, the Assistant Secretary for Energy and Minerals of the Department of the Interior has determined that the Oklahoma Abandoned Mine Land Reclamation Plan meets the requirements of SMCRA and the Secretary's regulations. Accordingly, the Assistant Secretary has approved the Oklahoma Plan.

DATE: This rule is effective January 21, 1982. The good cause for making this rule effective upon date of publication is: (1) the Office of Surface Mining wants to minimize the time between the approval of Title V regulatory programs and Title IV State reclamation programs; and (2) grants are pending approval of the Title IV plan and OSM wishes to expedite grant assistance to States to initiate needed reclamation work as required by the Act.

ADDRESSES: Copies of the full text of the Oklahoma Plan are available for review during regular business hours at the following locations:

Oklahoma Conservation Commission, 10 State Capitol Building, Oklahoma City, Oklahoma 73105

Office of Surface Mining Reclamation and Enforcement, 333 W. Fourth Street, Room 3432, Tulsa, Oklahoma 74103

Office of Surface Mining Reclamation and Enforcement, 1100 L St., N.W., Room 5315, Washington, D.C. 20240

FOR FURTHER INFORMATION CONTACT:

Don Willen, Chief, Division of Abandoned Mine Land Reclamation, Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior, 1951 Constitution Avenue, N.W., Washington, D.C. 20240 Telephone (202) 343-7951.

SUPPLEMENTARY INFORMATION:

General Background of the Abandoned Mine Land Program

Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), Pub. L. 95-87, 30 U.S.C. 1201 *et seq.*, establishes an abandoned mine land reclamation program for the purposes of reclaiming and restoring lands and water resources adversely affected by past mining. This program is funded by a reclamation fee imposed upon the production of coal. Lands and water eligible for reclamation under the program are those that were mined or affected by mining and abandoned or left in an inadequate reclamation status prior to August 3, 1977, and for which there is no continuing responsibility under State or Federal law.

Each State, having within its borders coal mined lands eligible for reclamation under Title IV of SMCRA, may submit to the Secretary a State reclamation plan demonstrating its capability for administering an abandoned mine reclamation program. Title IV provides that the Secretary may approve the plan once the State has an approved regulatory program under Title V of SMCRA. If the Secretary determines that a State has developed and submitted a program for reclamation and has the necessary State legislation to implement the provisions of Title IV, the Secretary shall grant the State exclusive responsibility and authority to implement the provisions of the approved plan. Section 405 of SMCRA (30 U.S.C. 1235) contains the requirements for State reclamation plans.

The Secretary has adopted regulations that specify the content requirements of a State reclamation plan and the criteria for plan approval (30 CFR Part 884, 43 FR 49932-49947, October 25, 1978).

Under those regulations, the Director of the Office of Surface Mining is required to review the plan and solicit and consider comments of other Federal agencies and the public. If the State plan is disapproved, the State may resubmit a revised reclamation plan at any time.

Upon approval of the State reclamation plan, the State may submit to the Office on an annual basis a grant application for funds to be expended in that State on specific reclamation projects. These funds are necessary to

implement the State reclamation plan as approved. The annual grant requests are reviewed and approved by OSM in compliance with the requirements of 30 CFR Part 886.

To codify information applicable to individual States under SMCRA, including decisions on State reclamation plans, OSM has established a new Subchapter T to 30 CFR Chapter VII. Subchapter T consists of Parts 900 through 950. Provisions relating to Oklahoma are found in 30 CFR Part 936.

Background on the Oklahoma Abandoned Mine Plan Submission

On March 9, 1979, a cooperative agreement between the Oklahoma Conservation Commission and the Office of Surface Mining was approved. The purpose of this agreement was to assure that information required for the preparation of the Oklahoma Abandoned Mine Land Reclamation Plan would be assembled.

On October 16, 17, and 18, 1979, the Oklahoma Conservation Commission held public meetings in Vinita, Tulsa, Muskogee, Wilburton, and Coalgate, Oklahoma to get comments on the Plan.

On July 30, 1981, the State of Oklahoma submitted its proposed Abandoned Mine Land Reclamation Plan to the Office of Surface Mining.

Notice of receipt of the submission initiating the Plan review was published October 6, 1981 (45 FR 49143-49145). The announcement requested public comments. On December 3, 1981, OSM's State Director and on December 15, 1981, the Assistant Director for Program Operations and Inspection recommended to the Director that the Assistant Secretary approve the Oklahoma Reclamation Plan.

The administrative record on the Oklahoma Plan is available for review during regular business hours at the Office of Surface Mining Reclamation and Enforcement, at the Tulsa, Oklahoma address listed above in "Addresses."

Assistant Secretary's Findings

1. In accordance with Section 405 of SMCRA the Assistant Secretary finds that Oklahoma has submitted a Plan for reclamation of abandoned mines and has the ability and necessary State legislation to implement the provisions of Title IV of SMCRA.

2. The Assistant Secretary has determined, pursuant to 30 CFR 884.13, that:

(a) The Oklahoma Conservation Commission has the legal authority, policies and administrative structure necessary to carry out the proposed

Plan. However, it is recognized that the Governor's order adopting the Oklahoma abandoned mine land regulations under his emergency powers can be rescinded by the Oklahoma legislature at its next session;

(b) The Plan meets all the requirements of 30 CFR Chapter VII, Subchapter R;

(c) The State has an approved regulatory program; and

(d) The Plan is in compliance with all applicable State and Federal laws and regulations.

3. The Assistant Secretary has solicited and considered the views of Federal agencies having an interest in the Plan as required by 30 CFR 884.14(a)(2). These agencies include: United States Corps of Engineers (COE), the U.S. Forest Service (USFS), Bureau of Land Management (BLM), and the Bureau of Mines (BOM).

Disposition of Comments

The following comments received on the Oklahoma Abandoned Mine Land Reclamation Plan during the public comment period were considered in the Assistant Secretary's evaluation of the Oklahoma Plan as indicated.

1. The BOM commented that the Plan does not appear to meet the criterion of 30 CFR 884.13(f)(1) of having "one map at a scale of 1:250,000 or larger" showing the general location of known or suspected eligible lands and water within the State which require reclamation. Oklahoma has substantially met the requirements of 30 CFR 884.13(f)(1) through its submission of maps which identify the general location of eligible lands and water which require reclamation. Since the intent of 30 CFR 884.13(f)(1) has been met, OSM does not consider that the cost of reproducing a single map is justified.

2. The COE commented that reclamation of some of the abandoned mine pits will require a discharge permit before impounded water is discharged. OSM's response is that Oklahoma has already agreed on page xviii of its Plan to comply with all State and Federal laws.

3. The COE commented that the guidelines developed by OSM (45 FR 14810-14818, March 6, 1980) should be utilized when reclaiming waste piles and retention dams. OSM's response is that these guidelines are discretionary and Oklahoma intends to use them as appropriate.

4. The BLM commented that the sociological implications of dangers to human life and property, public health and safety, and environmental improvements and beneficial uses

should be specifically addressed in the Plan. OSM's response is that these sociologic implications need not be discussed specifically in the Plan. The specific sociologic implication of each proposed reclamation project will be addressed by Oklahoma during the public participation process required prior to submission of the annual reclamation grant request.

5. The BLM commented that 1980 Census data and other recent data should be used in the Plan. OSM's response is that 30 CFR 884 requires that "available data" be used. The 1980 Census was not available at the time the Oklahoma Plan was developed. Oklahoma can incorporate the most recent data in its next reclamation plan or in any future amendment to the present Plan. OSM has concluded that Oklahoma's submission on demographic characteristics satisfies the requirements of 30 CFR 884.13.

6. The BLM commented that the section on "Water quality problems associated with abandoned coal mine area" should be expanded to include interpretations of other hydrologic and climatic characteristics and how these affect the severity of problems associated with reclamation of abandoned coal mines, and that a summary section should be added. OSM's response is that the Plan does not need to be amended because the hydrologic and climatic information submitted meets the requirements of 30 CFR 884.13 and a summary is not needed.

7. The BLM commented that in the Plan's discussion of cultural resources, the State Historic Preservation Officer (SHPO) should be referred to instead of the Oklahoma Historical Society and that documentation of the consultation process with the SHPO is necessary to comply with 30 CFR Subchapter R. OSM's response is that the SHPO is part of the Oklahoma Historical Society and will be consulted. As for the process of consultation, OSM finds that the Plan's section on coordination of reclamation work with other agencies (pp. 27-29) is sufficient to accomplish consultation.

8. The BLM commented that the procedure for considering archaeological resources discussed on page 133 will not discharge agency responsibility for archaeological resources if there is a new surface disturbance caused by any element of the project or when a partially disturbed site exists in an area already disturbed by a mine. OSM's response is that the State has agreed in its Plan to protect archeological resources through review and comment on archeological issues with the State Archeological Survey. The general

procedure is sufficient to consider archeological problems as they arise.

9. The BLM commented that the Plan should include a provision to consult with a recognized person or agency to help determine the significance of any paleontologic resource and the salvage of fossils prior to or during the reclamation phase. OSM's response is that, although not specifically required in its Plan, OSM agrees that such contacts could be beneficial and has forwarded the suggestion to the State.

10. The BLM commented that there should be more specific objectives for reclamation as well as minimum standards to determine when reclamation is complete. OSM's response is that Oklahoma has agreed in its Plan to follow OSM's national guidelines on reclamation (45 FR 14810-14818, March 6, 1980) as appropriate.

11. The BLM commented that on page 25 (project selection matrix) the water quality parameter does not adequately address the hydrologic environmental considerations or problems because it is concerned with water quality as it relates to human life, health and safety alone. OSM's response is that environmental considerations and problems are included in the Plan in evaluating the impacts which a potential project has on water quality as indicated in the second column of the project selection matrix (p. 25).

12. The BLM commented that the Plan seems to indicate that Federal coal lands will be given a lower priority than State lands due to the possibility of future re-mining. OSM's response is that the project selection matrix of the Plan (p. 25) has entitled one of its parameters "Probability Project Site will be Affected by Future Mining." This parameter will be used to evaluate all projects without priority distinction as to the ownership of the land on which the AML problems are found.

13. The USFS commented that the Oklahoma Plan is unclear about funding for reclamation on Federal lands under the State Program. OSM's response is that Oklahoma has discussed Federal lands in the Plan and indicated that reclamation projects on Federal lands will be done as part of the State Program following the priorities of the SMCRA and the State Plan.

14. The USFS commented that the Plan should contain a provision that allows for the demonstration of reclamation research technology. OSM's response is that the Plan does not need to be modified because Oklahoma could undertake research and demonstration projects under Subsection 403(4) of the Surface Mining Act.

Additional Findings

The Office of Surface Mining has examined this rulemaking under Section 1(b) of Executive Order No. 12291 (February 17, 1981), and has determined that, based on available quantitative data, it does not constitute a major rule. The reasons underlying this determination are as follows:

1. Approval will not have an effect on costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions; and

2. Approval will not have adverse effects on competition, employment, investment, productivity, innovation or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

On November 12, 1981, the Office of Management and Budget granted OSM exemption from Sections 3, 4, 6, and 8 of Executive Order 12291 all actions taken to approve State Reclamation Plans or amendments. Therefore this plan is exempt from preparing a Regulatory Impact Analysis and regulatory review by OMB.

This rulemaking has been examined pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, and the Office of Surface Mining has determined that the rule will not have a significant economic effect on a substantial number of small entities. The reason for this determination is that approval will not have demographic effects, direct costs, information collection and recordkeeping requirements, indirect costs, nonquantifiable costs, competitive effects, enforcement costs or aggregate effects on small entities.

The Assistant Secretary has determined that the Oklahoma Abandoned Mine Land Reclamation Plan will not have a significant effect on the quality of the human environment because the decision relates only to policies, procedures and organization of the State's Abandoned Mine Land Reclamation Program. Therefore, under the Department of Interior Manual, DM 516.2.3(A)(1), the Assistant Secretary's decision on the Oklahoma Plan is categorically excluded from the National Environmental Policy Act requirements. As a result, no environmental assessment or environmental impact statement (EIS) has been prepared on this action. It should be noted that a programmatic EIS was prepared by OSM in conjunction with the implementation of Title IV. Also an environmental analysis or an EIS will be prepared for the approval of grants for abandoned mine

land reclamation projects under 30 CFR Part 886.

Dated: January 7, 1982.

J. R. Harris,

Director, Office of Surface Mining.

Dated: January 11, 1982.

Daniel N. Miller, Jr.,

Assistant Secretary—Energy and Minerals.

Therefore, Part 936 is amended by adding § 936.20 to read as follows:

PART 936—OKLAHOMA**§ 936.20 Approval of Oklahoma Abandoned Mine Land Reclamation Plan.**

The Oklahoma Abandoned Mine Land Reclamation Plan, as submitted on July 30, 1981, is approved. Copies of the approved Plan are available at:

The Office of Surface Mining Reclamation and Enforcement, 1100 L St., NW., Room 5315, Washington, D.C. 20240
Office of Surface Mining Reclamation and Enforcement, 333 W. Fourth Street, Room 3432, Tulsa, Oklahoma 74103
Oklahoma Conservation Commission, 10 State Capitol Building, Oklahoma City, Oklahoma 73105

[FR Doc. 82-1465 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-05-M

PANAMA CANAL COMMISSION**35 CFR Part 103****Panama Canal Transit Booking System**

AGENCY: Panama Canal Commission.

ACTION: Interim rule; revocation of expired interim rule.

SUMMARY: On January 30, 1981 (46 FR 9942) the Panama Canal Commission published an interim rule concerning the order of passage of vessels through the Panama Canal. The purpose of that rule was to establish the terms under which there was to be conducted a test of a plan for scheduling vessels passing through the Canal. That test was conducted until May 11, 1981, when it was suspended. On December 8, 1981 (46 FR 60013) the Commission published a notice proposing a new rule that takes into account the agency's experience with the reservation system that was tested under the January 30 interim rule. The purpose of this document is to conduct a new test of 120 days in duration. This document also revokes the interim rule of January 30, 1981, as the system contained therein will not be retested.

DATES: Interim Rule effective January 22, 1982; comments may be submitted during the course of the test, but not later than 30 days after the conclusion of the test.

ADDRESSES: Comments may be mailed to the Secretary, Panama Canal Commission, 425 Thirteenth Street, NW., Washington, D.C. 20004, or delivered to Room 312, Pennsylvania Bldg., 425 Thirteenth Street, NW., Washington, D.C., between 8:00 a.m. and 4:30 p.m.

Comments may also be submitted to the Marine Director, Panama Canal Commission, Balboa, Republic of Panama, or delivered to Room 310, Administration Building, Balboa Heights, between 7:15 a.m. and 4:15 p.m.

Comments may also be mailed to Marine Director, Panama Canal Commission, APO Miami 34011.

FOR FURTHER INFORMATION CONTACT:

Michael Rhode, Jr., Secretary, Panama Canal Commission, Room 312, Pennsylvania Bldg., 425 Thirteenth Street, NW., Washington, D.C. 20004 (202) 724-0104;

Captain George T. Hull, Marine Director, Panama Canal Commission, (telephone Republic of Panama 52-7917).

SUPPLEMENTARY INFORMATION: This document temporarily changes the rules and practice governing the scheduling of vessels passing through the Panama Canal. The purpose of the interim rule is to conduct a test of 120 days duration in order to determine the feasibility of a reservation system for booking vessels that transit the waterway. The test will begin on January 25, 1982. The practice under the existing regulation (i.e., prior to the procedure that was followed under the interim rule of January 30, 1981) was to use the time of arrival of a vessel at either terminus of the Canal as the basis for fixing the order in which the vessel would be placed in the daily transit schedule. Deviations from that sequence were due generally to considerations of safety, the capacity of the locks and channel, and the availability of equipment and personnel. The longstanding rule that preference be given to passenger vessels was also applied under the January 30 interim rule, as was the policy to grant preference to warships of all nations. It is believed that the proposed plan for scheduling vessel transits based upon reservations may result in a traffic pattern in which there is less variation from day to day in the number of arrivals. Such uniformity, if attained, should increase Canal efficiency by making possible a more nearly continuous flow of vessel traffic. This stems from the fact that transits must be scheduled to take into account vessel size, handling characteristics, and the need for tugboat assistance or special procedures. With respect to the vessel

operators, the change in the scheduling system is expected to reduce the waiting time of vessels at the Canal. In the case of those that use the reservation system, it should obviate the need for steaming at higher speed merely to arrive before other ships and, thus, obtain a place in the transit schedule. It seems clear that fuel consumption could be reduced in such cases. The plan includes the assessment of a fee for each reservation, a cancellation charge that would become progressively higher as the reservation date draws nearer and a fee forfeiture penalty for booked vessels that do not transit as scheduled. Under the plan, there are two periods during which reservations can be made for any given day. The preference for passenger vessels and warships is not altered.

The Commission has determined that this rule does not constitute a major rule within the meaning of the Executive Order 12291 (46 FR 13193). The bases for that determination are, first, that the rule, when implemented, would not have an effect on the economy of \$100 million or more per year. In times of heavy demand for transits, it is anticipated that the vessel operator using the reservation system would save more than the booking fee he had paid, since the vessel's daily operating expense could be expected usually to exceed it. Secondly, there would be savings due to lower fuel consumption, as described above. Finally, the agency has concluded that implementation of the reservation system is unlikely to have any significant, adverse effect upon competition, employment, investment, productivity, innovation or the ability of United States-based enterprises to compete in the domestic or export markets with those that are foreign based. The Office of Management and Budget approved the proposed rule prior to its publication on December 8, 1981. Further, the information collection requirement contained in this rule (i.e., the form which will have to be completed to request a booking under § 103.8(c) or a cancellation under § 103.8(g)) has been reviewed by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and has been assigned OMB control number 3207-0001.

The Commission has determined that this proposed rule is not subject to the requirements of Chapter 6 of Title 5, United States Code, dealing with the analysis of regulatory functions. The basis for that determination is that this rule concerns a Commission service and the rates to be charged for such service;

therefore it falls within the exception prescribed by 5 U.S.C. 601(2).

During the comment period (December 8, 1981 through January 7, 1982) numerous comments were received from various segments of the shipping industry. Many made general comments indicating that they either favored or opposed the implementation of a booking system; however, several made suggestions for changes in the proposed system. All these suggestions have been given careful consideration by the Commission, and many of them have been adopted in whole or in part.

The subject of charges generated the most comments. Many said the fee was too high, others said the cancellation charges and the forfeiture penalty were too high, some suggested there should be no fee or penalty.

While the Commission recognizes that the charges are substantial, it considers them to be fair and reasonable. The benefits to be derived from the system are substantial, e.g., lower operating costs resulting from reduced fuel consumption and expeditious transit, and the assurance that the vessel will transit on a given day. It would be unfair to the non-users of the system to provide those benefits for a nominal charge, or no charge at all. Moreover, properly used, the system could result in net savings for the operators of booked vessels. Importantly, the charges are considered to be necessary to provide a degree of control over the system and prevent abuses. In view of the number of comments stating that the fee was too high, however, the Commission has decided to lower the fee to \$0.26 per Panama Canal Gross Ton.

Other comments concerning the fees asserted that (a) the fee is actually a toll, and is intended to raise revenues, (b) since it is a toll, there should be a public hearing, and (c) regular customers should be afforded a discount.

Although it might be arguable that there is some similarity in the booking fee and the basic toll, in that both relate to transit of the Canal, the Commission does not agree that the fee amounts to a toll. Rather, the booking fee is a charge for an additional service. A transit can be made without incurring the booking fee; participation in the system is voluntary. Further, if a vessel transits the Canal, the toll charge is never waived or refunded. In certain situations, however, the booking fee may be waived or refunded. Finally, the Commission is not using the test of the system as a means of raising additional revenues; the charges are imposed for the reasons stated above. While some additional revenues will undoubtedly be

realized, it would be far too speculative to estimate the amounts for budgetary purposes at this time. Thus, the Commission does not consider the booking fee to be a toll, and, accordingly, does not consider toll-type public hearings to be required.

The Commission does not concur that regular customers should be given a discount, as that would tend to defeat the purposes of the fees. Moreover, regular customers are given a preference over most other users of the system whenever requests exceed the number of bookings remaining available.

It was also suggested in some comments received that where the user derived no benefit from the system (e.g., because of its arrival time the vessel would have transited as soon, if not sooner, than its booked transit) the fee should be refunded. In this connection, another suggestion offered was that booked vessels should be allowed to transit either as regular or booked vessels, whichever provided the most prompt transit. Neither of these suggestions is considered to be workable, as each would promote speculative bookings and would result in saturation of the system, as evidenced in the previous test. Further, providing refunds for some vessels on the basis that they did not benefit from the system would result in numerous additional claims that no benefits were realized.

One comment suggested that, when a booked vessel was not transited as scheduled due to a Canal decision, the fee should be refunded and the vessel given priority transit on the following day. The rule provides that in such cases the operator can elect either a refund or a transit on a preferred basis. While the Commission envisions transiting a vessel on the following day, if feasible, when the operator elects a preferred transit, it would be unwise to promise that in advance. The situation requiring the delayed transit could require a delay of more than one day. To grant a priority transit and a waiver of the fee would be unfair to non-users of the system.

Another suggestion was that the fee should be waived anytime that a vessel did not arrive on time due to unanticipated delay. That too could result in numerous, unverifiable claims that the delay was unanticipated.

There were suggestions that the fee should be applied to the regular transit costs if the vessel arrived on time, and that it should be refunded if the vessel's transit began on the booked date, but was interrupted. The application of the booking fee to regular transit costs of vessels that arrive and transit on time

would result in the vessel's receiving the additional (reservation) service at no cost. As stated above, that would be unfair to the non-users. Further, the fee is not a toll and, therefore, will not be applied as such.

The Commission has decided to adopt a suggestion that a refund should be allowed when a booked vessel, through no fault of its own, does not make a continuous transit. Section 103.8(f) of the rule has been amended to provide that if, through no fault of its own, a booked vessel's in-transit time (ITT) exceeds 18 hours, the booking fee will be refunded.

In addition to comments to the effect that the charge was too high, there were other comments received concerning the cancellation procedure. One was to allow cancellation without charge where there were still slots available for the date in question and the operator rebooked for another date. Such a procedure would invite speculation on the part of users and, if the system were implemented on a permanent basis, could be used as a means of avoiding the penalty by cancelling and rebooking indefinitely.

Another suggestion was to allow cancellation without complete forfeiture in the second period. The Commission has decided to adopt this suggestion. Accordingly, § 103.8(g) of the rule has been amended to provide that the charge for cancellation six to two days prior to the transit date will be the greater of 80 percent of the fee or \$1,250. The proposed rule provided for cancellation, at the latest, four days prior to transit.

On the question of penalties, one suggestion was that there should be no penalty where the failure to arrive on time was due to a delay in transiting the Canal within 21 days prior to the booked transit. The Commission has decided to adopt this suggestion. Section 103.8(f) has been amended to provide that, where delay caused by the Canal on one booked transit could result in failure to arrive on time for a subsequent transit that was booked before the delay was encountered, the agent may within 24 hours request a change of the booking, or cancellation without charge.

Another suggestion was that the penalty should be 24 hours added to the vessel's arrival time and that it be placed in the regular schedule. During periods of high backlog, however, that could result in an even greater financial loss than the forfeiture of the fee. Accordingly, it will not be adopted.

Several comments addressed the question of preferences. Some said the preference should be given to operators having the most number of vessel transits rather than to the vessel. One

suggested giving breakbulk container vessels the same preference given to passenger vessels. Another suggested eliminating the preference given to passenger vessels. Still another said that the 700 ton cut-off for the perishable cargo preference was unfair to small vessels.

The Commission believes that it would be impractical to grant preference by operator rather than by vessel. Information on the number of transits a vessel has made is readily available and easily verifiable. That is not the case with respect to vessel operators. Operator/vessel relationships change frequently. Further, assuming such information was readily available and verifiable, granting the preference to the operator could result in a few operators monopolizing the system.

With respect to the suggestions concerning the preference given to passenger vessels, that preference has long been supported by the rationale that considerations of human need, convenience and comfort should have priority over the movement of cargo. The Commission considers that rationale to have continuing validity. Accordingly, the preference will not be eliminated, nor should it be granted to other classes of vessels.

The Commission does not agree that the 700 ton requirement to qualify for the perishable cargo preference is unfair to small vessels. Our records indicate that most small vessels that carry such cargo are capable of carrying 1,000 tons or more. Further, the 700 ton requirement is not used to determine eligibility for participation in the system; rather, it is only used to determine which vessels have preference when requests exceed the number of bookings available.

Several comments pertained to the number of bookings which are allowed. One said there were too many bookings allowed for each day, another said there should be more allowed in the first period, still another said more should be allowed in the second period. These comments seemed to be based on assumptions that the system discriminated against non-users, or long-haulers, or short-haulers. The number of bookings provided for in the rule is based on the Commission's experience in the previous test. The splitting up of the reservation period was done to make the system more readily available to short-haulers while also providing opportunities to long-haulers. The Commission has decided, however, to shift one booking from the first period to the second period, in order to balance out the effect on the second period when there may be a need to reduce bookings available due to a loss in capacity. The

test should determine if any further modification is required.

One suggestion was that the first period bookings should be phased in, two at a time. The difficulty with this suggestion is that it would almost insure that the preference procedure in § 103.8(d) would have to be relied on for each booking granted during the first period. If the test indicates that some phasing in of slots is necessary, however, the suggestion will be reconsidered. The shifting of bookings indicated above will partially satisfy this suggestion.

Another suggestion was to give booked vessels priority in the order of transit, rather than simply guaranteeing transit on a given day. This cannot be done. The traffic schedulers must have the flexibility to arrange the daily transit schedule so as to insure that the Canal operates at maximum capacity. This requires transiting certain types of vessels at certain times.

Several comments suggested that the requirement to arrive by midnight of the day prior to the transit should not be applied to unrestricted vessels, since they normally begin their transit in the afternoon. The Commission has decided to adopt this suggestion. Accordingly, § 103.8(f) of the rule has been amended to provide that unrestricted vessels will not be penalized if they arrive prior to 1200 hours of the day of transit.

One comment suggested that the second period bookings should be reserved for those vessels arriving from a port within a stated radius, e.g., 1,500 miles. The Commission considers that to be unworkable since it would be difficult to verify, until after the vessel arrives, the location of its last port of call. Further, it would result in the arbitrary exclusion of some ports that may fall just outside the radius established.

Another comment suggested that substitution by an operator of similar vessels should be allowed. The Commission will permit such substitution, where both vessels meet the following criteria:

- (a) Both vessels must have bookings for transit on consecutive days;
- (b) Both vessels must be transiting in the same direction;
- (c) Both vessels must be similar in size and be subject to the same transit restrictions and arrival requirements;
- (d) Both must be operated by the same operator;
- (e) The request for substitution must be received not later than 24 hours prior to the day of first transit; and
- (f) A vessel may participate in only one substitution per booking.

There were three suggestions concerning the test itself. The first was that it should be postponed, the second that the Commission should provide daily booking information and more accurate forecasts of congestion and the third, that there should be a 45-day comment period after the test.

The Commission does not believe that any purpose will be served by putting the test off any longer. Interested parties have been given ample time to submit comments. The Commission believes that the system can prove to be beneficial to all classes of operators if it is properly utilized. The best way to determine whether that will be the case is to conduct the test.

The Commission will publish a daily list of the vessels booked during the 21-day period. It will be available at the Marine Traffic Control (MTC) Center, La Boca, Republic of Panama, and the Commission's Port Captain's Office in Cristobal, Republic of Panama. The list will also be available on MTC's Dial-up Management Information System.

Traffic forecasting is carried on continuously by the Commission. The Commission does not, however, attempt to project short-range traffic congestion at the Canal beyond 48 hours. This is so because it is influenced by so many variables, e.g., number, size, handling characteristics, and class of cargo carried by vessels arriving at the Canal, natural phenomena, accidents, mechanical failure, etc. Thus, the Commission considers it inadvisable for it to give, short range forecasts, beyond the 48-hour projection which is normally available on a daily basis.

The Commission will accept comments during the test and for a period of 30 days after the last day of the test.

Finally, other clarifying changes have been made to the rule.

PART 103—GENERAL PROVISIONS GOVERNING VESSELS

For the reasons set out above, the interim rule of January 30, 1981 (46 FR 9942) concerning the order of passage of vessels through the Panama Canal is revoked and Part 103 of Title 35, Code of Federal Regulations is amended as follows:

1. The authority citation for Part 103 would be revised to read as follows:

Authority: Sec. 1801, Pub. L. 96-70, 93 Stat. 492; 45 FR 69271; E.O. 12215, 45 FR 36043.

2. Section 103.8 would be revised to read as follows:

§ 103.8 Preference in the transit schedule; order of transiting vessels.

(a) *General.* Except as provided in section 103.9, and subject to the limitations imposed by Article III of the 1901 Treaty to Facilitate the Construction of a Ship Canal, entered into by the United States and Great Britain, and by Articles II and VI of the 1977 Treaty between the United States and the Republic of Panama concerning the Permanent Neutrality and Operation of the Panama Canal, vessels arriving for transit of the Canal will be placed in the transit schedule in accordance with the rules in this section.

(b) *Definitions.* As used in this section:

(1) "Booked for transit" means that a vessel has been assigned a date on which it will be moved through the Panama Canal.

(2) "Regular transit" means the movement through the Canal of a vessel that has not been booked for transit.

(c) *Transit bookings.* There will be two periods during which bookings may be made for a given date. In the first period, a limited number of bookings (not to exceed seven) will be available between 21 days and 4 days prior to the date of intended transit. In the second period, an additional number of bookings (not to exceed nine), plus any first-period bookings not taken or any bookings which have been canceled, will be available on the third and second days prior to the date of transit. The Canal authorities may cease accepting requests for bookings during times of high traffic congestion at the Canal. If there is a loss in Canal capacity, the number of bookings available may be reduced. The specific order of transit will be determined by the Canal authorities. Except as provided herein, a vessel may not transit prior to the date for which it has been booked, unless the Canal authorities determine that an early transit would promote efficiency of the Canal and would not result in delay for any regular transits. In the event that a vessel transits prior to the date for which it is booked, the fee will be retained by the Commission. Substitution of booked transits will be permitted under conditions specified by the Canal authorities.

(d) *Preference.* If, on any day during the first period, or on the day of the second period, requests exceed the number of bookings remaining available, preference for the remaining bookings will be given in the following order:

(1) First, vessels carrying primarily

perishable cargoes, in the order of frequency of transit during a specified period;

(2) Second, all other vessels in the order of frequency of transit during a specified period;

(3) If, under the procedure in the preceding two paragraphs, two or more vessels are found to have an equal number of transits, then preference will be given to the vessel having transited most recently.

(e) *Fees.* The fee for booking shall be \$0.26 per Panama Canal Gross Ton. The minimum fee for any vessel is \$1,500.

(f) *Penalties.* (1) When a vessel that is subject to transit restrictions (e.g., clear-cut; clear-cut daylight), has been booked for transit and does not arrive at a terminus of the Canal by midnight (2400 hours) of the day prior to the intended transit, the booking fee will be forfeited. Similarly, the fee will be forfeited if the booked vessel is not subject to such transit restrictions and it does not arrive prior to noon (1200 hours) of the day of intended transit. In either case, upon arrival, the vessel will be placed in the regular transit schedule. This forfeiture will not occur if late arrival is due to *force majeure* or delay for humanitarian purposes. The booking fee will also be forfeited if the vessel arrives on time but cannot or, at the operator's election, does not, transit as scheduled when the agency is ready to proceed. In these latter cases, the Canal authorities shall have discretion to waive the forfeiture where it is established that the delay was due to external causes that the vessel operator could not reasonably have anticipated.

(2) Failure to provide complete and accurate information on the request form may result in rejection of the booking and forfeiture of the fee.

(3) If a vessel does not begin its transit on the day for which it has been booked due to a decision by the Canal authorities, its operator thereafter, at any time prior to the day that the vessel has subsequently been scheduled to make a delayed transit, may elect to receive a refund of the fee, in which case the vessel will be listed on the regular transit schedule. In the alternative, the operator may elect to have the Commission retain the fee, in which case the vessel will be transited on a preferred basis.

(4) When a vessel booked for transit is delayed by a decision of the Canal authorities, and that delay could result in the vessel's failure to arrive on time for a subsequent transit which was

booked before the delay was encountered, the vessel's agent may, within 24 hours of completion of the delayed transit, request:

(i) Change of the second booking to another date, (if bookings are available on the requested date); or

(ii) Cancellation of the second booking, without charge, and inclusion in the regular schedule.

(5) A vessel will be deemed to have transited the Canal on the day for which it has been booked if it arrives at the first set of locks prior to 2400 hours that day and its in-transit time (ITT) is 18 hours or less. In-transit time begins when the vessel enters the first set of locks at either terminus of the Canal, and ends when the vessel departs the last set of locks at the opposite terminus. The booking fee will be refunded whenever ITT, through no fault of the vessel, exceeds 18 hours.

(g) *Cancellation.* A transit that is booked may be canceled if notice of cancellation is received by the Canal authorities at least two days prior to the day of intended transit. A charge will be assessed for such cancellations, however, in accordance with the following schedule:

Date of cancellation	Cancellation charge (the greater of)
Over 15 days prior to transit.....	20 percent of booking fee or \$500.
15 to 11 days prior to transit.....	40 percent of booking fee or \$750.
10 to 7 days prior to transit.....	60 percent of booking fee or \$1,000.
6 to 2 days prior to transit.....	80 percent of booking fee or \$1,250.

Cancellation of bookings later than two days prior to the date of intended transit will be subject to the forfeiture rule stated in paragraph (f)(1) of this section.

(h) *Regular transits.* Vessels which are not booked for transit will be dispatched through the Canal in the order determined by the Canal authorities. Priority of arrival at a terminal port does not give a vessel the right to pass through the Canal ahead of another that may arrive later; however, the time of arrival will be a consideration in fixing the order of passage. Generally, regular transits will equal or exceed one-half of the total number of vessels moved through the Canal on any given day.

(i) *Suspension.* The Canal authorities may suspend or discontinue, in whole or in part, the transit booking system established by this section if they determine that its continuation may

adversely affect the safe or efficient operation of the Canal.

Michael Rhode, Jr.,

Secretary.

January 18, 1982.

[FR Doc. 82-1500 Filed 1-20-82; 8:45 am]

BILLING CODE 3640-01-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 20

Employee Responsibilities and Conduct; Corrections

AGENCY: Interior.

ACTION: Final rule; correction.

SUMMARY: This document contains a listing of corrections to the final regulations governing Employee Responsibilities and Conduct which were published December 1, 1981 (46 FR 58420-58461).

FOR FURTHER INFORMATION CONTACT: Mr. Gabriele J. Paone or Mr. Mason Tsai, Department Ethics Office, U.S. Department of the Interior, (202) 343-3932.

Dated: January 15, 1982.

James G. Watt,

Secretary of the Interior.

PART 20—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Accordingly, the following corrections are made to 43 CFR 20.735:

§ 20.735-1 [Corrected]

1. On page 58427, the middle of column one (in § 20.735-1(a)(14)), "Dependent child" is corrected to read "Dependent child".

§ 20.735-7 [Corrected]

2. On page 58429, near the bottom of column two, the correction is to delete "(ii) Loans from banks or other financial institutions on customary terms to finance proper and usual activities, such as home mortgage loans."

3. On page 58429, at the bottom of column two, "(iii)" is corrected to read "(ii)."

4. On page 58429, at the top of column three, "(iv)" is corrected to read "(iii)". In addition, "(v)" is corrected to read "(iv)".

§ 20.735-8 [Corrected]

5. On page 58430, near the top of column one, § 20.735-8(b)(5) is corrected to read: "Minimal Value" means a retail value in the United States at the time of acceptance of \$140.00 or less. Refer to Federal Property Management

Regulations Amendment H-130 dated September 29, 1981.

§ 20.735-9 [Corrected]

6. On page 58430, in the middle of column three, the correction is to delete the word "training" from the sixth line in § 20.735-9(b)(1).

§ 20.735-22 [Corrected]

7. On page 58436, at the bottom of column two, § 20.735-22(a)(3) is corrected to read: (3) Participate in his or her government capacity in any matter in which he or she, his or her spouse, minor child, outside business associate, organization in which he or she serves as an officer or employee, or person with whom he or she is negotiating for employment, has a financial interest (18 U.S.C. 208).

§ 20.735-24 [Corrected]

8. On page 58439, in the middle of column two, § 20.735-24(b)(2) is corrected to read "The Secretary and employees of the Office of the Secretary and other Departmental offices reporting directly to a Secretarial officer, who are in pay grades equivalent to GS-16 and above or who are in merit-pay positions as described in 5 U.S.C. 5401(b)(1), are prohibited from: (i) Voluntarily acquiring a direct or indirect interest in federal lands."

9. On page 58439, column two (in § 20.735-24(b)(2)(ii)), the citation "20735-20(c)" is corrected to read "§ 20.735-20(c)".

10. On page 58439, column three (in § 20.735-24(d)(4)), the words "minor child" are corrected to read "dependent child."

11. On page 58439, column three (in § 20.735-24(e)(1)(i)), the words "minor child" are corrected to read "dependent child."

12. On page 58439, column three (in § 20.735-24(e)(1)(ii)), the words "minor child" are corrected to read "dependent child."

13. On page 58439, at the bottom of column three, § 20.735-24(e)(3)(i) is corrected to read "A written request submitted to the Designated Agency Ethics Official within 90 days from the effective date of these regulations, within 60 days of employment by the Department or within 60 days of being notified that the holding in federal lands is a prohibited holding."

§ 20.735-27 [Corrected]

14. On page 58441, column one, § 20.735-27(b)(3) is corrected to read "The Secretary and employees of the Office of the Secretary and other Departmental offices reporting directly to a Secretarial officer, who are in pay

grades equivalent to GS-16 and above or who are in merit-pay positions as described in 5 U.S.C. 5401(b)(1), are prohibited from: (i) Having any personal or private interest in any mine or the products of any mine under investigation by Bureau of Mines employees;"

15. On page 58441, in the middle of column two, § 20.735-27(e)(2)(i) is corrected to read "A written request submitted to the Designated Agency Ethics Official within 90 days from the effective date of these regulations, within 60 days of employment by the Department or within 60 days of being notified that the holding in mining activities is a prohibited holding."

§ 20.735-28 [Corrected]

16. On page 58441, column three, § 20.735-28(c)(1) is corrected to read "The prohibitions in § 20.735-28(b) shall apply to the Secretary and employees of the Office of the Secretary and other Departmental offices reporting directly to a Secretarial officer, who are in pay grades equivalent to GS-16 and above or who are in merit-pay positions as described in 5 U.S.C. 5401(b)(1). See § 20.735-20(c) for the definition of Office of the Secretary and other Departmental Offices."

§ 20.735-30 [Corrected]

17. On page 58443, column one in 20.735-30(a), the words, "civil service" are corrected to read "Office of Personnel Management".

§ 20.735-31 [Corrected]

18. On page 58444, the bottom of column three, "§ 20.735-1(14)" is corrected to read "§ 20.735-1(a)(14)."

19. On page 58445, column one, in 20.735-31(a)(9), "§ 20.735-1(15)" is corrected to read "§ 20.735-1(a)(15)."

§ 20.735-36 [Corrected]

20. On page 58451, in the middle of column two, § 20.735-36(a) is corrected to read "The following statutory restrictions apply specifically to the heads and members of the bureaus and offices identified and are extended to the Secretary and employees of the Office of the Secretary and other Departmental offices reporting directly to a Secretarial officer, who are in pay grades equivalent to GS-16 and above or who are in merit-pay positions as described in 5 U.S.C. 5401(b)(1): (1) 43 U.S.C. 31(a)—Geological Survey; (2) 18 U.S.C. 437—Indian Affairs; (3) 43 U.S.C. 11—Bureau of Land Management; (4) 30 U.S.C. 6—Bureau of Mines. See § 20.735-20(c) for the definition of Office of the

Secretary and other Departmental Offices."

[FR Doc. 82-1456 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-02-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 1-18, Notice 20]

Controls and Displays

AGENCY: National Highway Traffic Safety Administration (NHTSA).

ACTION: Final rule.

SUMMARY: This notice amends Standard No. 101-80, *Controls and Displays*. The standard currently requires the light indicating the actuation of the headlamp high beam to be blue. (Blue is defined by the standard to include blue-green.) This amendment permits manufacturers to use the color green as an alternative to blue. The purpose of the change is to allow the use of light emitting diode technology, which at the present time cannot produce the color blue or blue-green.

DATE: This rule is effective on January 21, 1982.

ADDRESS: Petitions for reconsideration should refer to the docket number and be submitted to: Docket Section, Room 5108, 400 Seventh Street, SW, Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Mr. John Carson, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, D.C. 20590 (202-426-2720).

SUPPLEMENTARY INFORMATION: Standard No. 101-80, *Controls and Displays*, specifies requirements for the identification and illumination of controls and displays in passenger cars, multipurpose passenger vehicles, trucks and buses. The purpose of the standard is to ensure the accessibility and visibility of motor vehicle controls and displays and to facilitate their quick and proper identification and selection by a driver in order to reduce the safety hazards caused by the diversion of the driver's attention from the driving task, and by mistakes in selecting controls.

Among its requirements, Standard No. 101-80 specifies colors for various vehicle displays. Blue is specified for the headlamp high beam telltale (i.e., the light indicating that the high beams of the headlamps have been activated). A footnote to the standard's color

requirements (contained in Table 2 of the standard) states that blue can be blue-green.

This final rule amends the standard by adding green as an alternative to blue and blue-green for the headlamp high beam telltale. This final rule was preceded by a notice proposing the amendment of Standard No. 101-80 in October 1980 (45 FR 71832). Several comments were received that supported the proposal, including those submitted by General Motors, Ford and Chrysler. Only one comment opposed the proposal. The NHTSA has considered all of the comments and the most significant ones are discussed below.

The agency proposed to allow the use of green as an alternative to blue in response to a petition for rulemaking from Volkswagen (VW). Blue had been selected by the agency for the headlamp high beam telltale primarily to promote international harmonization of standards regulating vehicle controls and displays. That color requirement was the same as that adopted by the International Standards Organization, the Economic Commission for Europe and the European Economic Community. VW petitioned for green as an alternative to blue in order to enable it to use light emitting diodes (LED's) for its telltales. VW stated that its testing has demonstrated that LED's are more reliable than incandescent bulbs when used for telltales and are, thus, very desirable. At present, however, LED's cannot be produced in either blue or white (which could be used with a blue filter to produce blue). VW stated that green is the only color akin to blue or blue-green which LED technology is capable of producing.

Ford stated that it supports the proposed amendment since it recognizes current technological limitations and would allow manufacturers to introduce new designs at these limits. Ford did express concern, however, that the proposed relaxation of the color requirement is in conflict with international harmonization of U.S. and European motor vehicle standards. That company recommended that the proposed amendment be issued for an interim period only—until LED technology can provide commercially acceptable blue LED's. Ford's comment stated that it believes that blue LED's will become commercially feasible for automotive application within the next year.

A comment submitted by General Motors (GM), also supporting the proposed amendment, stated that it believes that the allowance of a green high beam telltale will effectively

present the message of that telltale, particularly since it must also be identified by a symbol. According to GM, the amendment will allow incorporation of the current electronic technology involving light emitting diodes into automotive panel displays. GM stated that the allowance of green as a high beam telltale color will not affect international harmonization since blue will remain an alternative. That company noted that any manufacturer desiring to market a product worldwide can still choose to use a blue telltale and thereby meet the international requirements.

The issue of conflict with international harmonization was the basis for the only comment received in opposition to the proposed amendment. The U.S. Technical Research Company (U.S. Technical Representatives of Peugeot) stated that under the present state of technology, LED's can only display yellow, green or red. That company stated that it believes that in the near future an amendment of European regulations will require that the high beam telltale shall be either blue or yellow. Accordingly to that commenter, if NHTSA chooses to adopt green for the high beam telltale, harmonization in this field will no longer exist and domestic and foreign manufacturers will be equally affected. The U.S. Technical Research Company therefore requested that NHTSA retain the blue requirement because it is identical to the current European requirement. Alternatively, that company asked the agency to require that either blue or yellow telltales be used in anticipation of the possible change in the European requirements.

In the interest of international harmonization of standards, Renault also supported permitting the use of yellow. However, it also supported allowing the use of green as an alternative to blue.

The purpose of requiring telltales to be of a particular color is to promote standardization and thereby improve driver performance. As noted above, the agency adopted blue for the high beam telltale primarily to promote international harmonization. The International Standards Organization, the Economic Commission for Europe and the European Economic Community all maintain that color requirement.

The agency does not believe that permitting the use of green as an alternative to blue is in conflict with international harmonization. As noted by GM, any manufacturer desiring to market a product worldwide can still choose to use a blue telltale and thereby meet the international requirements.

While the agency is aware that some manufacturers and some countries in Europe have sought to have international standards amended to permit use of yellow as an alternative to blue, it is by no means certain that those efforts will succeed. Indeed, the International Standards Organization rejected such a proposal in April 1980.

In light of the uncertainty of the direction in which international requirements will move on this matter, the agency determined that yellow should not be adopted as an alternative to blue. The agency agrees with VW's petition that green is the closest color akin to blue or blue-green that LED's can produce and thus, in the agency's judgment, is the best alternative color to permit. To permit use of yellow as well would defeat the purpose of having a color requirement in the first place, that of promoting standardization and thereby improving driver performance. Therefore, that alternative was rejected.

The agency recognizes that the cause of international harmonization may make amendment of Standard No. 101-80 appropriate if international organizations adopt yellow as an alternative to blue. The agency will monitor developments in this area.

In the interest of both standardization and international harmonization, the agency believes that use of green as an alternative to blue should only be permitted until LED technology develops to the point that it is possible to produce commercially acceptable blue LED's. The agency considered amending the standard to permit use of green for a specified period of time, such as three years. However, without more definite information indicating when commercially acceptable blue LED's will be available, the agency determined that it would be more appropriate to issue the amendment for an indefinite period of time. The agency will consider limiting high beam telltales to blue after blue LED technology has been developed.

The agency does not believe that this amendment will have any adverse effect on safety. Even if it did, the effect would be more than outweighed by the advantages offered by permitting industry the flexibility to use LED technology for telltales. As VW pointed out, there is evidence that LED's are more reliable than incandescent bulbs.

Comments submitted by Ford and VDO-ARGO stated that they see no adverse effect on safety as a result of this amendment. Further, as noted above, GM stated that it believes that a green high beam telltale will effectively present the message of that telltale, particularly since it must also be

identified by symbol. No comments were received that suggested any adverse effect.

Also, there may be cost savings and other advantages associated with permitting LED's to be used for telltales. Standard No. 101-80 already permits LED's to be used for other displays. The standard defines displays that use LED's to give one or more than one type of information or message (i.e., using words or symbols) as informational readout displays. Recently the agency granted a petition for rulemaking from GM that requested modification in Standard No. 101-80's light intensity requirements to permit informational readout displays to be used for telltales. According to GM, such an amendment would permit integration of telltales with other instrument displays in a single electronic display panel. This step would alleviate instrument panel design problems caused by reduced space available due to vehicle downsizing and increasing amounts and types of information to be presented to the driver, offer potential for weight and cost reduction, and facilitate placing telltales adjacent to displays often consulted by the driver, making the telltales more readily noticeable. These same types of advantages are offered by permitting displays which use LED's but are not informational readout displays (since they consist only of a colored light and do not display words or symbols), as telltales.

The agency has assessed the economic and other impacts of this final rule and determined that it is neither a major rule within the meaning of Executive Order 12291 nor a significant rule under the Department of Transportation's regulatory policies and procedures. Further, the agency concludes that the economic and other consequences of this final rule are so minimal as not to require preparation of a regulatory evaluation. The impact is minimal because the amendment does not impose any new requirements and does not affect compliance costs. Rather, it merely permits manufacturers to use an alternate color for the high beam telltale. For the same reasons, the agency finds that the amendment will have no significant environmental impact.

Although NHTSA has considered the effects of this amendment on small businesses, the agency has not prepared a regulatory flexibility analysis. Such an analysis is not necessary in this case, since the Regulatory Flexibility Act applies only to rules for which an NPRM was issued on or after January 1, 1981.

The NPRM for this final rule was published in October 1980.

The effective date of this amendment is January 21, 1982. An immediate effective date is being provided since the amendment relieves a restriction and to permit manufacturers to commence utilizing light emitting diode technology as soon as possible.

The principal authors of this notice are John Carson, Office of Vehicle Safety Standards, and J. Edward Glancy, Office of Chief Counsel.

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

§ 571.101-80 [Amended]

In consideration of the foregoing, § 571.101-80, Chapter V of Title 49, Code of Federal Regulations, is amended as follows:

Table 2 is amended by revising the telltale color designation for the High Beam Telltale Display, contained in Column 2, to read:

Blue or Green.⁴

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.50.)

Issued on January 12, 1982.

Raymond A. Peck, Jr.,
Administrator.

[FR Doc. 82-1427 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-59-M

Proposed Rules

Federal Register

Vol. 47, No. 14

Thursday, January 21, 1982

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 1011, 1046, and 1098

[Docket Nos. AO-251-A23, AO-123-A48, and AO-184-A43]

Milk in Tennessee Valley, Louisville-Lexington-Evansville and Nashville, Tennessee, Marketing Areas; Partial Decision on Proposed Amendments to Marketing Agreements and Orders

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This decision adopts on an emergency basis a change in the pooling standard for distributing plants regulated under the Nashville, Tennessee, order. The order now provides that a distributing plant must dispose of at least 50 percent of its milk receipts as Class I milk in order to qualify as a pool plant. Presently, such disposition must be in the form of packaged fluid milk products distributed on routes. Under the change, such disposition could also include bulk sales of Class I milk to other milk plants.

This change was considered at a public hearing held October 21-23, 1981. The change is necessary to reflect current marketing conditions and to insure orderly marketing in the regulated area. Marketing conditions are such that prompt amendatory action is required. For this reason, a recommended decision and an opportunity to file exceptions thereto have been omitted. A separate recommended decision will deal with the remaining issues in this proceeding.

FOR FURTHER INFORMATION CONTACT: Richard A. Glandt, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-5443.

SUPPLEMENTARY INFORMATION: This administrative action is governed by the provisions of Sections 556 and 557 of Title 5 of the United States Code and,

therefore, is excluded from the requirements of Executive Order 12291.

This action will not have a significant economic impact on a substantial number of small entities. The amendments would promote orderly marketing of milk by producers and regulated handlers.

Prior documents in this proceeding:
Notice of Hearing: Issued September 4, 1981; published September 11, 1981 (46 FR 45354).

Correction: Published September 22, 1981 (46 FR 46813).

Notice of Rescheduled Hearing: Issued September 24, 1981, published September 29, 1981 (46 FR 47588).

Suspension of Rule: Issued November 24, 1981; published November 30, 1981 (46 FR 58064).

Preliminary Statement

A public hearing was held upon proposed amendments to the marketing agreements and the orders regulating the handling of milk in the Tennessee Valley, Louisville-Lexington-Evansville and Nashville, Tennessee, marketing areas. The hearing was held, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice (7 CFR Part 900), at Louisville, Kentucky, on October 21-23, 1981, pursuant to the notice thereof issued on September 4, 1981 (46 FR 45354), the correction published September 22, 1981 (46 FR 46813), and the notice of rescheduled hearing issued on September 24, 1981 (46 FR 47588). Interested parties were given until November 13, 1981, to file post-hearing briefs on proposal No. 10 as published in the notice of hearing and on whether this proposal should be considered on an expedited basis.

The material issues on the record relate to:

1. Diversion of limited amounts of Class I milk from the Nashville and Tennessee Valley markets to the Louisville market. A corollary issue involves changing the out-of-area location adjustments of the Nashville order.
2. Location adjustments applicable to producer milk under the Nashville and Louisville orders.
3. Touch-base and diversion limits of the Nashville and Louisville orders.
4. Pooling standards for "country" plants under the Louisville order.

5. The provisions of the Nashville order relating to the mechanism for paying producers.

6. Diversions between pool plants under the Nashville order.

7. Pooling standards for distributing plants under the Nashville order.

8. Whether an emergency exists to warrant the omission of a recommended decision on issue No. 7.

This decision deals only with issues Nos. 7 and 8. The remaining issues of the hearing will be considered in a later decision on this record.

Findings And Conclusions

The following findings and conclusions on the material issues are based on the evidence presented at the hearing and the record thereof:

7. *Pooling standards for distributing plants under the Nashville order.* The pool plant definition of the Nashville order should be amended to change the qualification requirement for distributing plants from *route* disposition of not less than 50 percent of receipts to *Class I* disposition of not less than 50 percent of receipts. The order now provides that a distributing plant must dispose of at least 50 percent of its milk receipts as Class I milk in order to qualify as a pool plant. Presently, such disposition must be in the form of packaged fluid milk products distributed on routes. Under the change, such disposition could also include bulk sales of Class I milk to other plants.

This action was proposed by Kraft, Inc., which operates a distributing plant in Nashville (Kraft's fluid milk operations also are known by the name Sealtest). A Kraft spokesman indicated that the change was proposed so that the order would reflect marketing changes that have occurred in the Nashville market and to protect its fluid milk operations and its independent producers from market disorderliness stemming from these changes. Kraft's witness testified that the Nashville market and its own plant has experienced a significant increase in receipts of producer milk during a period of relatively flat Class I sales. Also, Kraft asserted that under current market conditions, the 50 percent route disposition standard is not a realistic test of a plant's commitment to fluid milk sales. Accordingly, Kraft proposed that distributing plants be pooled on the basis of their total Class I dispositions,

including bulk sales that are classified as Class I.

The manager of the Sealtest operation in Nashville testified that the plant's route dispositions have declined to the point that it has had difficulty maintaining pool plant status. The witness testified that the plant's in-area route disposition averaged 54 percent of the plant's receipts during September 1980 through February 1981 but dropped to an average of 46 percent for March through August 1981. While the record does not indicate the plant's total route sales, it does indicate that most of the route sales are in the marketing area. The witness also provided information showing that the Class I dispositions of the Nashville operation declined from almost 79 percent of receipts in September 1979 to 49 percent in August 1981.

Kraft's witness stated that adoption of the proposal would be helpful to the Nashville Sealtest operation because the plant now has substantial bulk sales to other plants. To demonstrate this, the witness noted that the Nashville plant currently transfers almost one million pounds of milk per month to a distributing plant in Murfreesboro, Tennessee, that is pooled under the Georgia Federal order. Evidence also was presented that in September 1981, almost one million pounds of milk were transferred from Nashville to the Sealtest bottling plant in Louisville, Kentucky, which is regulated under the Louisville-Lexington-Evansville (Louisville) Federal order. During the first 16 days of October 1981, the Nashville to Louisville transfers were over 700,000 pounds. Also, during the first 16 days of October, the Nashville Sealtest plant transferred 214,000 pounds of milk to a Georgia order pool distributing plant in Atlanta, Georgia, and 250,000 pounds to a distributing plant in Birmingham, Alabama. A large proportion of the milk transferred to the above-mentioned plants was classified as Class I. According to the Kraft spokesman, the Nashville Sealtest plant must account to the marketwide pool at the Class I price for most of this milk being moved as bulk transfers but, under the present order language, none of the milk so transferred and classified as Class I counts toward qualifying the plant as a pool plant. He also indicated that the plant will continue to transfer bulk milk to other plants for Class I use.

At the hearing, Dairymen, Inc., a major cooperative association in the market, opposed the change from a route disposition standard to a Class I disposition standard. DI's witness stated that the cooperative did not oppose the

change in principle, but objected to its adoption under current market conditions because it would allow Kraft to associate additional milk supplies with the Nashville pool. DI contended that the Sealtest Nashville operation does not need more milk and that such additional milk ultimately would be diverted to Kraft's cheese plants in the region. DI's witness asserted that events occurring in the market would cause the Nashville market to change from a low Class I utilization market to a high Class I market and thus there would be a need to insure that milk is available for fluid use. DI contended that, under these circumstances, the order should not be amended to accommodate additional supplies of milk that would be used for cheese production and would not be available for the fluid market if needed.

In its post-hearing brief, DI, in response to Kraft's request for a renewed suspension of the pooling standard, stated that it did not oppose the requested suspension provided that the Department adopt on an expedited basis Kraft's proposal to amend the pooling standards. DI indicated that its concerns regarding this proposed change would be reduced under other changes that it has proposed and which are to be considered later.

The National Farmers' Organization, another cooperative in the market, also opposed in its post-hearing brief the adoption of this change. Its opposition was based on reasoning similar to that presented at the hearing by DI.

The record shows that over the past several months the Sealtest bottling plant in Nashville has had difficulty meeting the 50 percent route disposition standard. This situation has developed primarily because of changes in the operations of the Sealtest plant in Nashville.

In the past two years, the plant has had a significant increase in receipts of producer milk. Some of this increase has resulted from an increase in the number of producers associated with the plant, but it appears that most of the increase has come from increased deliveries per farm. In addition, the plant lost a major route customer for its packaged fluid milk products when a grocery chain closed its operations in the Nashville area. Also, the plant has become a substantial supplier of bulk milk to other plants for Class I use. These bulk sales represent a continuing commitment to the fluid milk business and have helped the plant maintain its Class I utilization in the face of declining route sales of packaged products. The net effect of these changes has been a significant reduction in the percent of receipts

accounted for by route dispositions while the plant's total Class I utilization has remained at or above the marketwide average, generally above 50 percent of receipts.

Marketing conditions throughout the market also have changed over the past two years. Receipts of producer milk on the Nashville market for the first seven months of 1981 averaged 14 percent above the comparable period in 1979. During the same time period, Class I dispositions were only five percent higher. Class I sales in more recent months have been adversely affected by a drop in school milk sales brought about by changes in the school lunch program.

The combined effects of these changes in Sealtest's operations and for the market in general have caused some regulatory uncertainty for the Sealtest plant. Because the route dispositions of the Sealtest plant have declined to an average of about 50 percent of receipts over the past year, small shifts in route sales and/or producer milk receipts may cause the plant's regulatory status to vary on a month-to-month basis. As a result, approximately 250 producers who ship to the Sealtest plant may not know from month to month whether they will participate in the Nashville pool. This uncertainty is not consistent with the goal of orderly marketing.

Regulation of fluid milk plants is one of the mechanisms which Federal orders use to help establish orderly marketing. The pooling standard for distributing plants is designed to identify for regulation those plants that are engaged primarily in the fluid milk business. Generally, the percent of a plant's receipts disposed of in the form of Class I products serves as the pooling standard. Historically, most Class I sales have been in the form of packaged products sold on routes. Therefore, pooling standards traditionally have been defined in terms of route disposition. However, there is no apparent reason to differentiate between bulk Class I sales and sales of Class I packaged products on routes. Sales of bulk milk for use in products ultimately classified as Class I also represent an association with the fluid market. The change provided for in this decision is not intended to change the basic concept that pooling standards are designed to measure a plant's association with the fluid market. Rather, the change simply recognizes that Class I sales other than those of packaged products on routes should be considered when a plant's pool status is determined.

Recognition of bulk Class I sales for pooling purposes should provide the Sealtest plant in Nashville with a more stable regulatory environment because its overall Class I utilization generally has remained above 50 percent of receipts even when its route dispositions would not have met the current standard. Under the revised standards, small shifts in receipts or route sales should not affect the plant's regulatory status. The plant should be able to remain a pool plant without relying on periodic emergency suspensions of the pooling standard. The change should benefit the producers associated with the Sealtest plant by eliminating some of the uncertainty about their continued participation in the Nashville marketwide pool. Moreover, there is no reason to believe that this change will have any adverse impact on the pool status of any other plants.

Therefore, the pool plant definition should be changed to include any distributing plant that maintains in-area route dispositions equal to 15 percent of receipts and disposes of 50 percent of receipts for Class I use. Such dispositions would include route sales and transfers and diversions of milk to other plants for Class I use.

8. *Emergency action.* The due and timely execution of the functions of the Secretary under the Act imperatively and unavoidably requires the omission of a recommended decision and the opportunity to file exceptions thereto with respect to Issue No. 7. The continued orderly marketing of milk requires that producers supplying distributing plants in the market be reasonably assured of the regulatory status of the plants they supply.

On the basis of the evidence presented at the hearing, the Department suspended the 50 percent route disposition standard for November 1981 through January 1982 to assure that producers shipping to the Nashville Sealtest plant, and who have historically been associated with the market, would continue to have their milk pooled and priced under the order. The record indicates that the conditions that warranted the suspension will probably continue beyond January 31, 1982, when the suspension expires. Although the suspension could be extended, amendment of the pooling standard is the more appropriate method of dealing with the marketing problems at hand.

Moreover, the suspension of the current 50 percent route disposition standard creates a situation where any distributing plant with route disposition as low as 15 percent of its receipts in the Nashville marketing area would be

regulated as a pool plant. Prompt amendment of the order is desirable to avoid the possibility of regulating plants that are not basically engaged in the fluid milk business. Both under the present order provisions and those adopted herein, it is intended that only those distributing plants that are primarily Class I operations be pooled under the order.

The omission of a recommended decision was discussed at the hearing. Two cooperative associations, DI and NFO, expressed opposition to such a procedure. However, in its post-hearing brief, DI urged that the issue be resolved promptly so that the order would not, during any suspension of the present rule, regulate plants that have only a minimum association with the fluid market. NFO continues to oppose the expedited proceeding. However, the record contains substantial evidence that an emergency situation exists and that both handlers and producers will benefit from the more stable regulatory environment that adoption of this change will bring.

It is therefore found that good cause exists for omission of the recommended decision and the opportunity for filing exceptions thereto.

Rulings on Proposed Findings and Conclusions

Briefs and proposed findings and conclusions were filed on behalf of Kraft, Inc., Dairymen, Inc., and National Farmers' Organization. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General Findings

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the Nashville, Tennessee, order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement¹ and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the tentative marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing Agreement and Order

Annexed hereto and made a part hereof are two documents, a Marketing Agreement regulating the handling of milk, and an Order amending the order regulating the handling of milk in the Nashville, Tennessee, marketing area which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the attached marketing agreement, be published in the *Federal Register*. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which is published with this decision.

Determination of Producer Approval and Representative Period

October 1981 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Nashville, Tennessee, marketing area is approved or favored by producers, as defined under the terms of the order (as amended and as hereby proposed to be amended), who during such representative period were engaged in

¹ Agreement filed as part of the original document.

the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C. on January 15, 1982.

John Ford,

Deputy Assistant Secretary, Marketing and Inspection Services.

Order² amending the order, regulating the handling of milk in the Nashville, Tennessee, marketing area.

Findings and Determinations

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the Nashville, Tennessee, order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings.* A public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Nashville, Tennessee, marketing area. The hearing was held pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure (7 CFR Part 900).

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

² This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Nashville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as amended, and as hereby amended, as follows:

PART 1098—MILK IN NASHVILLE, TENNESSEE, MARKETING AREA

Section 1098.7(a) is revised to read as follows:

§ 1098.7 Pool plant.

(a) A distributing plant that has Class I disposition during the month of not less than 50 percent of the fluid milk products, except filled milk, approved by a duly constituted regulatory agency for fluid consumption that are physically received at such plant or diverted as producer milk to a nonpool plant pursuant to § 1098.13 and that has route disposition, except filled milk, in the marketing area during the month of not less than 15 percent of its total disposition of fluid milk products, except filled milk, during the month.

[FR Doc. 82-1450 Filed 1-20-82; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 81-AEA-53]

Proposed Alteration of Transition Area; Westminster, Md.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the Westminster, Maryland, Transition Area over Clearview Airpark, Westminster, Maryland. The VOR-A instrument approach procedure has been changed from part-time to full-time availability. This requires that the transition area be changed from a part-time to a full-time area to protect the aircraft utilizing the instrument procedure.

DATE: Comments must be received on or before March 12, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430. The docket may be examined at the following

location: FAA, Office of Regional Counsel, AEA-7, Federal Building, J.F.K. International Airport, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT: Al Reale, Airspace & Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. All communications received on or before March 12, 1982, will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Chief Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430, or by calling (212) 995-3391.

Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the Westminster, Maryland, Transition Area. The transition area will be altered from a part-time (sunrise to sunset) area, to a full-time (24 hours) area.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposed to amend § 71.181 of Part 71 of the Federal

Aviation Regulations (14 CFR Part 71) as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations, by amending the description of the Westminster, Maryland, (Clearview Airport) 700-foot floor Transition Area by removing, "This Transition Area is effective from sunrise to sunset, daily."

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promise safe flight operation, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Jamaica, N.Y., on January 4, 1982.

Timothy L. Hartnett,

Acting Director, Eastern Region.

[FR Doc. 82-1419 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-AEA-68]

Proposed Designation of Transition Area; Montauk, N.Y.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposed to designate a Montauk, New York, Transition Area over Montauk Airport, Montauk, New York. A new VOR instrument procedure for runway 6 has been developed for Montauk Airport, and will require protection for aircraft executing the new approach. An instrument approach procedure requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

DATE: Comments must be received on or before March 12, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430. The docket may be examined at the following location: FAA, Office of Regional Counsel, AEA-7, Federal Building, J.F.K. International Airport, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT: Al Reale, Airspace & Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport,

Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. All communications received on or before March 12, 1982, will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430, or by calling (212) 995-3391.

Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to designate Montauk, New York, Transition Area. The 700-foot transition area will be designated within a 5 mile radius of the airport and with an extension to the southwest 6 miles wide and 3 miles long.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposed to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations, by adding, Montauk, New York, 700-foot floor transition area as follows:

Montauk, New York

That airspace extending upward from 700 feet above the surface within a 5-mile radius

of Montauk Airport (41°04'36" N., 71°55'16" W.) and within 3 miles each side of the Hampton, N.Y., VORTAC 062° radial extending from the 5-mile radius area to 15 miles NE of the VORTAC.

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promise safe flight operation, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Jamaica, N.Y., on January 4, 1982.

Timothy L. Hartnett,

Acting Director, Eastern Region.

[FR Doc. 82-1414 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-AEA-50]

Proposed Designation of Transition Area; Bedford, Pa.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposed to designate a Bedford, Pennsylvania, Transition Area over Bedford Airport, Bedford, Pennsylvania. A new instrument approach procedure has been developed for Bedford Airport, and will require protection for aircraft executing the new approach. An instrument approach procedure requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

DATE: Comments must be received on or before March 12, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430. The docket may be examined at the following location: FAA, Office of Regional Counsel, AEA-7, Federal Building, J.F.K. International Airport, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT: Al Reale, Airspace & Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION:**Comments Invited**

Interested parties may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. All communications received on or before March 12, 1982, will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed rulemaking (NPRM) by submitting a request to the Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430, or by calling (212) 995-3391.

Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to designate a Bedford, Pennsylvania, Transition Area. The 700-foot transition area will be designated within a 13.5 mile radius of the airport, and with an extension to the east approximately 8 miles wide and 2 miles long, but including only an 8 mile radius from the southwest to the north.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposed to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by adding a 700 foot floor transition area as follows: Bedford, Pennsylvania

That airspace extending upward from 700 feet above the surface within a 13.5 mile radius of the center of Bedford Airport, 40°03'45" N., 78°30'35" W., extending

clockwise from a 002° bearing to a 073° bearing from the airport; within a 7-mile radius of the center of the airport extending clockwise from a 073° bearing to a 132° bearing from the airport; within 13.5 mile radius of the center of the airport extending clockwise from a 132° bearing to a 225° bearing from the airport; within an 8.5 mile radius of the center of the airport extending clockwise from 225° bearing to a 002° bearing from the airport; and within 4.5 miles each side of the St. Thomas, Pennsylvania VORTAC 287° radial extending from 14 to 25 miles west of the VORTAC.

Note.—the FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promise safe flight operation, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Jamaica, N.Y., on January 4, 1982.

Timothy L. Hartnett,
Acting Director, Eastern Region.

[FR Doc. 82-1411 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-AEA-63]

Proposed Alteration of Transition Area; Meadville, Pa.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the Meadville, Pennsylvania, Transition Area over Port Meadville Airport, Meadville, Pennsylvania. A new LOC Runway 25 instrument procedure has been developed for Port Meadville Airport, and will require protection for aircraft executing the new approach. An instrument approach procedure requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

DATE: Comments must be received on or before March 12, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430. The docket may be examined at the following location: FAA, Office of Regional Counsel, AEA-7, Federal Building, J.F.K. International Airport, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT:

Al Reale, Airspace & Procedures Branch,

AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION:**Comments Invited**

Interested parties may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. All communications received on or before March 12, 1982, will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430, or by calling (212) 995-3391.

Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the Meadville, Pennsylvania, Transition Area. The 700-foot transition area will be altered by adding an extension to the northeast 3 miles long and 4 miles wide.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposed to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations, by altering the description of the Meadville,

Pennsylvania, 700-foot floor transition area by adding, "; and within 1.5 miles each side of the Port Meadville, localizer course extending from the 8-mile radius area to 2.5 miles northeast of the outer marker." following, "Pa."

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promise safe flight operation, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Jamaica, N.Y., on January 4, 1982.

Timothy L. Hartnett,

Acting Director, Eastern Region.

[FR Doc. 82-1417 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-AEA-66]

Proposed Alteration of Transition Area; St. Marys, Pa.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposed to alter the St. Marys, Pennsylvania, Transition Area over St. Marys Airport, St. Marys, Pennsylvania. A new LOC/DME instrument approach procedure to runway 28 has been developed for St. Marys Airport, and will require protection for aircraft executing the new approach. An instrument approach procedure requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

DATES: Comments must be received on or before March 12, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430. The docket may be examined at the following location: FAA, Office of Regional Counsel, AEA-7, Federal Building, J.F.K. International Airport, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT: Al Reale, Airspace & Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport,

Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. All communications received on or before March 12, 1982, will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430, or by calling (212) 995-3391.

Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the St. Marys, Pennsylvania, Transition Area. The area will be altered to increase the area of the eastern extension by approximately 4 miles in width and 4 miles in length.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposed to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations, by altering the description of the St. Mary's, Pennsylvania, 700-foot floor transition area by adding, "within 4.5 miles each side of the St. Mary's Airport Runway 28 localizer course extending from the 5.5-mile radius area to 13 miles east of the

localizer;" following the phrase, "21.5 miles west of the VORTAC;"

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promise safe flight operation, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Jamaica, N.Y., on January 4, 1982.

Timothy L. Hartnett,

Acting Director, Eastern Region.

[FR Doc. 82-1415 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-AEA-70]

Proposed Alteration of Transition Area; Grundy, Virginia

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the Grundy, Virginia, Transition Area over Grundy Municipal Airport, Grundy, Virginia. A VOR/DME instrument procedure has been developed for the airport and will require protection for aircraft executing the instrument procedure. An instrument procedure requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

DATE: Comments must be received on or before March 12, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430. The docket may be examined at the following location: FAA, Office of Regional Counsel, AEA-7, Federal Building, J.F.K. International Airport, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT:

Al Reale, Airspace & Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION: Comments Invited.

Interested parties may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. All communications received on or before March 12, 1982, will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430, or by calling (212) 995-3391.

Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the Grundy, Virginia, Transition Area. The alteration will add an extension to the east approximately 6 miles wide and 5 miles long.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposed to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by altering the description of the Grundy, Virginia 700-foot floor transition area by removing, "to 21.5 miles northeast of the Lonesome Pine, Va., VOR." and by substituting, "to 21.5 miles NE of the Lonesome Pine, Va., VOR; and within 3 miles each side of the Glade Spring, Virginia VORTAC 355°

radial extending from the 6-mile radius area to 18.5 miles N of the VORTAC." therefor.

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promise safe flight operation, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Jamaica, New York, on January 4, 1982.

Timothy L. Hartnett,
Acting Director, Eastern Region.

[FR Doc. 82-1412 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

Travel Expenses of Members of Congress

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: In the Rules and Regulations portion of this *Federal Register*, the Internal Revenue Service is issuing amendments to temporary income tax regulations that relate to Travel Expenses of Members of Congress. The text of those amendments also serves as the comment document for this proposed rulemaking.

DATES: Written comments and requests for a public hearing must be delivered or mailed by March 22, 1982. The regulations are proposed to be effective for taxable years beginning after December 31, 1980.

ADDRESS: Send comments and requests for a public hearing to: Commissioner of Internal Revenue, Attention: CC:LR:T (LR-4-82), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: Jason R. Felton of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224 (Attention: CC:LR:T) (202-566-3318).

SUPPLEMENTARY INFORMATION:

Background

The temporary regulations in the

Rules and Regulations portion of this issue of the *Federal Register* amend the Temporary Regulations under Title 5e Travel Expenses of Members of Congress. The final regulations, which this document proposes to be based on those amendments to the temporary regulations, would be added to Part 1 of Title 26 of the Code of Federal Regulations. For the text of the amendments to the temporary regulations, see FR Doc. (T.D. 7802) published in the Rules and Regulations portion of this issue of the *Federal Register*. The preamble to the temporary regulations explains the amendments to the regulations.

The temporary regulations provide rules under section 274 to allow deductions for traveling expenses for Members of Congress that may be claimed without substantiation.

These regulations are proposed to be issued under the authority contained in section 280A (f) (4) (B) and 7805 of the Internal Revenue Code (26 U.S.C. 7805; 26 U.S.C. 280A (f) (4) (B) 95 Stat. 1641, 68A Stat. 917).

Regulatory Flexibility Act

Although this document is a notice of proposed rulemaking which solicits public comment, the Internal Revenue Service has concluded that the regulations proposed herein are interpretative and that the notice and public procedure requirements of 5 U.S.C. 553 do not apply. Accordingly, these proposed regulations do not constitute regulations subject to the Regulatory Flexibility Act (5 U.S.C. chapter 6).

Comments and Requests for a Public Hearing

Before the adoption of these proposed regulations, consideration will be given to any written comments that are submitted (preferably six copies) to the Commissioner of Internal Revenue. All comments will be available for public inspection and copying. A public hearing will be held upon written request to the Commissioner by any person who has submitted written comments. If a public hearing is held, notice of the time and place will be published in the *Federal Register*.

Roscoe L. Egger, Jr.,
Commissioner of Internal Revenue.

[FR Doc. 82-1268 Filed 1-15-82; 10:48 am]

BILLING CODE 4830-01-M

26 CFR Part 301

[LR-111-81]

Disclosures of Return Information to Officers and Employees of Bureaus of the Census and Economic Analysis and to Designee of Taxpayer**AGENCY:** Internal Revenue Service, Treasury.**ACTION:** Notice of proposed rulemaking.

SUMMARY: This document contains proposed amendments to regulations relating to disclosures of return information to officers and employees of the Bureaus of the Census and Economic Analysis of the Department of Commerce for certain statistical purposes. These regulations affect disclosures of return information under section 6103(j)(1) of the Internal Revenue Code of 1954 and provide Internal Revenue Service and Social Security Administration personnel and other persons with the guidance needed to comply with the law. In addition, an amendment to the regulations is proposed to permit the Service to authorize other Federal agencies to which returns and return information have been disclosed by the Internal Revenue Service to further disclose such returns and return information to the taxpayer's designee.

DATE: Written comments and requests for a public hearing must be delivered or mailed by March 8, 1982. The amendments are proposed to be effective with respect to disclosures of return information made after the date of publication of these amendments as a Treasury decision.

ADDRESS: Send comments and requests for a public hearing to: Commissioner of Internal Revenue, Attention: CC:LR:T (LR-111-81), Washington, D.C., 20224.

FOR FURTHER INFORMATION CONTACT: David E. Dickinson of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attention: CC:LR:T, 202-566-3373, not a toll-free call.

SUPPLEMENTARY INFORMATION:**Background**

This document contains proposed amendments to the Regulations on Procedure and Administration (26 CFR Part 301) under section 6103 (j)(1) and (p)(2)(B) and are issued under the authority of sections 6103 (j)(1) and (q) and 7805 of the Internal Revenue Code of 1954 (90 Stat. 1678 and 1685, 68A Stat. 917; 26 U.S.C. 6103 (j)(1) and (q), 7805).

Provisions of the Regulations

The Internal Revenue Service has been requested to amend § 301.6103(j)(1)-1(b) of the Regulations on Procedure and Administration to provide for the disclosure to the Census Bureau of additional items of return information for purposes of conducting the 1982 economic and agricultural censuses. These additional items relate principally to cost of goods sold, royalty and farm income, and receipts of exempt organizations reported on Form 990. Also § 301.6103 (j)(1)-1(b)(4) would be amended to permit the additional disclosure of business related employment codes and service center, district and area office codes.

Further, the Census Bureau has reviewed the various items of return information presently disclosable under § 301.6103(j)(1)-1(b) to determine which, if any, of these items are no longer needed for authorized statistical purposes. As a result of this review, this proposed amendment would delete present disclosure authority with respect to several items, principally having to do with labor hired, number of employees, and taxable wages paid under the Federal Insurance Contribution Act.

Also, the regulations under § 301.6103(j)(1)-1(c) are proposed to be amended to permit the Social Security Administration to disclose to the Bureau of Economic Analysis for authorized statistical purposes certain described return information from employment tax returns of corporations.

Finally, in certain instances, returns and return information which the Internal Revenue Service has disclosed to another Federal agency for an authorized purpose may be more readily available from that agency than the Service when yet another person requests the Service to disclose the returns and return information for an authorized purpose. An example would be employment tax returns and return information filed directly with the Social Security Administration for processing purposes as authorized by section 6103(l)(5). When another person requests this data for a purpose authorized by section 6103, it may be more feasible for the Social Security Administration to make the disclosure rather than the Service. For this reason, § 301.6103(p)(2)(B)-1(a) of present regulations authorizes the use of this mechanism with the Service's consent. The proposed amendment to this regulation would specifically authorize the use of the mechanism where disclosure is to be made to the

taxpayer's designee under section 6103(c).

Drafting Information

The principal author of these regulations was David E. Dickinson of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations, both on matters of substance and style.

Proposed Amendments to the Regulations

The proposed amendments to the Regulations on Procedure and Administration (26 CFR Part 301) are as follows:

PART 301—PROCEDURE AND ADMINISTRATION

Paragraph 1. Paragraphs (b)(2) (i), (ii), (iii), and (iv), (b)(3), (b)(5)(ii), and (c) of § 301.6103(j)(1)-1 are revised to read as follows:

§ 301.6103(j)(1)-1 Disclosures of return information to officers and employees of the Department of Commerce for certain statistical purposes and related activities.

(b) *Disclosure of return information to officers and employees of the Bureau of the Census.*

(2) * * *

(i) From the business master files of the Service, the taxpayer name directory and entity records consisting of taxpayer identity information (as defined in section 6103(b)(6)) with respect to taxpayers engaged in a trade or business, the principal industrial activity code, the filing requirement code, the employment code, the service center and district and area office codes, and monthly corrections of, and additions to, such entity records;

(ii) From Form SS-4, all return information reflected on such return;

(iii) From an employment tax return—
(A) Taxpayer identifying number (as described in section 6109) of the employer and any employee identified on such return,

(B) Total compensation reported,

(C) Total number of employees reflected on such return,

(D) Master file tax account number,

(E) Taxable period covered by such return,

(F) Employment code,

(G) Document locator number,

(H) Record code,

(I) Total number of individuals employed in the taxable period covered by the return.

(J) Taxable wages paid for purposes of chapter 21 to each such employee.

(K) Taxable tip income for purposes of chapter 21 reported on the return with respect to each such employee.

(L) Total taxable wages paid for purposes of chapter 21, and

(M) Total taxable tip income reported for purposes of chapter 21; and

(iv) From Form 1040, Schedule SE—

(A) Taxpayer identifying number of self-employed individual,

(B) Business activities subject to the tax imposed by chapter 21.

(C) Net earnings from farming,

(D) Net earnings from nonfarming activities,

(E) Total net earnings from self-employment, and

(F) Taxable self-employment income for purposes of chapter 2.

(3) Officers or employees of the Service will disclose the following business related return information reflected on the return of a taxpayer to officers and employees of the Bureau of the Census for purposes of, but only to the extent necessary in, conducting and preparing, as authorized by chapter 5 of Title 13, United States Code, demographic, economic, and agricultural statistics programs and censuses—

(i) From Form 1040, Schedule C, taxpayer identity information (as defined in section 6103(b)(6)), the principal industrial activity code, reported gross receipts, returns and allowances, cost of labor, and salaries and wages;

(ii) From Form 1120F, Section II, and Forms 1065, 1120, 1120S, 990C, and 990T, the taxpayer identifying number (as described in section 6109), the principal industrial activity code, the consolidated return indicator (if any), and reported gross receipts less returns and allowances;

(iii) From Forms 1120, 1120S, and 1065, cost of goods sold, and royalty income;

(iv) From Form 990C, cost of goods sold;

(v) From Form 1040 Schedule F, taxpayer identity information and reported gross profits;

(vi) From Form 1040, Schedule C, and Forms 1065 and 1120S, answers to the business activity questions;

(vii) From Forms 1040, Schedule C, business address, answer to the question relating to Form 941, and cost of goods sold and, or, operations;

(viii) From Form 990—

(A) Taxpayer identifying number;

(B) Reported gross receipts;

(C) Cost of goods sold;

(D) Membership dues and assessments; and

(E) Total contributions, gifts, grants, and similar amounts received;

(ix) From Form 990PF, the taxpayer identifying number, the principal industrial activity code, and reported total receipts;

(x) From Form 1065, the names and taxpayer identifying numbers of no more than 10 members of the partnership;

(xi) From Form 1065, including Schedule F, if any, total sales of livestock and produce raised and other farm income and gross and net profits from farming; and

(xii) From Form 1120S, the names and taxpayer identifying numbers of, and the number of shares of stock owned by, no more than 10 shareholders of the corporation.

* * * * *

(5) * * *

(ii) From an employment tax return—

(A) Taxpayer identifying number (as described in section 6109) of the employer and any employee identified on such return,

(B) Total compensation reported,

(C) Taxable wages paid for purposes of chapter 21 to each such employee,

(D) Taxable tip income for purposes of chapter 21 reported on the return with respect to each such employee,

(E) Employee code; and

* * * * *

(c) *Disclosure of return information to officers and employees of the Bureau of Economic Analysis.* Officers or employees of the Service will disclose to officers and employees of the Bureau of Economic Analysis for purposes of, but only to the extent necessary in, conducting and preparing, as authorized by law, statistical analyses return information consisting of Statistics of Income transcript-edit sheets containing return information reflected on returns of designated classes or categories of corporations with respect to the tax imposed by chapter 1 and microfilmed records of return information reflected on such returns where needed for further use in connection with such conduct or preparation.

(2) Subject to the requirements of paragraph (d) of this section and § 301.6103(p)(2)(B)-1, officers and employees of the Social Security Administration to whom the following return information reflected on returns of designated classes or categories of corporations has been disclosed as provided by section 6103(l)(1)(A)(5) may disclose such return information to officers and employees of the Bureau of Economic Analysis for

necessary purposes described in paragraph (c)(1) of this section—

(i) From Form SS-4, principal industrial activity and geographic codes; and

(ii) From an employment tax return—

(A) Total compensation reported, and

(B) Taxable wages paid for purposes of chapter 21 to each employee.

* * * * *

§ 301.6103(p)(2)(B)-1 [Amended]

Par. 2. Paragraph (a) of § 301.6103(p)(2)(B)-1 is amended by removing the words "a person described in section 6103(e)" in the first sentence and inserting in lieu thereof the words "to a person described in section 6103 (c) or (e)".

Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

[FR Doc. 82-1516 Filed 1-20-82; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 914

Abandoned Mine Land Reclamation Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: On December 7, 1981, the State of Indiana submitted to OSM its proposed Abandoned Mine Land Reclamation Plan (Plan) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). OSM is seeking public comment on the adequacy of the State Plan.

DATE: Written comments on the Plan must be received on or before 5 p.m., February 22, 1982.

ADDRESSES: Copies of the full text of the proposed Indiana Plan are available for review during regular business hours at the following locations:

Office of Surface Mining Reclamation and Enforcement, Region III, Administrative Records Center, Rm. 511, U.S. Court House and Federal Building, 46 East Ohio Street, Indianapolis, Indiana 46207.

State of Indiana, Department of Natural Resources, 608 State Office Building, Indianapolis, Indiana 46204.

Office of Surface Mining Reclamation and Enforcement, Administrative Records, Rm. 5315, 1100 L Street, NW., Washington, D.C. 20240.

Written comments must be mailed or hand carried to: Regional Director, Region III at the first address listed above. Comments received after 5 p.m., February 22, 1982 will not be considered or included in the administrative record for this rulemaking.

FOR FURTHER INFORMATION CONTACT: Richard D. McNabb, Assistant Regional Director/AML, Office of Surface Mining, U.S. Court House and Federal Building, 46 East Ohio Street, Rm. 524, Indianapolis, Indiana 46207. Telephone: (317) 269-2646.

SUPPLEMENTARY INFORMATION: Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), Pub. L. 95-87, 30 U.S.C. 1201 *et seq.*, establishes an abandoned mine land reclamation program for the purposes of reclaiming and restoring lands and water resources adversely affected by past mining. This program is funded by a reclamation fee imposed upon the production of coal. Lands and water eligible for reclamation are those that were mined or affected by mining and abandoned or left in an inadequate reclamation status prior to August 3, 1977 and for which there is no continuing reclamation responsibility under State or Federal law.

Title IV provides that if the Secretary determines that a State has developed and submitted a program for reclamation of abandoned mines and has the ability and necessary State legislation to implement the provisions of Title IV, the Secretary may approve the State program and grant to the State exclusive responsibility and authority to implement the approved program.

On December 7, 1981, OSM received a proposed Abandoned Mine Land Reclamation Plan from the State of Indiana. The purpose of this submission is to demonstrate both the intent and capability to assume responsibility for administering and conducting the provisions of SMCRA and OSM's Abandoned Mine Land Reclamation (AMLR) Program (30 CFR Chapter VII, Subchapter R) as published in the *Federal Register* (FR) on October 25, 1978, 43 FR 49932-49952.

This notice describes the proposed program and sets forth information concerning public participation in the Assistant Secretary's determination of whether or not the submitted Plan may be approved. The public participation requirements for the consideration of a State Plan are found in 30 CFR 884.13 and 884.14 (43 FR 49948 (1978)). Additional information may be found under corresponding sections of the preamble to OSM's AMLR Program Final Rules (43 FR 49932-49940 (1978)).

The receipt of the Indiana Plan submission is the first step in the process which will result in the establishment of a comprehensive program for the reclamation of abandoned mine lands in Indiana.

By submitting a proposed Plan, Indiana has indicated that it wishes to be primarily responsible for the reclamation of abandoned mine lands in Indiana. If the program is disapproved and the State does not choose to revise the Plan, a Federal AML program will be implemented and OSM will have primary responsibility for these activities.

The Regional Director has determined that the public was provided adequate notice and opportunity to be heard on the Plan and that the record does not reflect any major unresolved controversies. Therefore, a public hearing will not be held.

Representatives of the Regional Director's Office will be available to meet Monday through Friday, excluding holidays, between 8:00 a.m. and 4:00 p.m. in the Regional Director's office at the request of members of the public to receive their advice and recommendations concerning the proposed Indiana Reclamation Plan and Program.

Persons wishing to meet with representatives of the Regional Director's Office during this time period may place such request with Russel Miller, telephone 317/269-2649, at the Regional Director's office.

The Department intends to continue to discuss the State's Plan with representatives of the State throughout the review process. All contacts between Departmental personnel and representatives of the State will be conducted in accordance with OSM's guidelines on contacts with States published September 19, 1979 at 44 FR 54444.

The Office of Surface Mining has examined this proposed rulemaking under section 1(b) of Executive Order No. 12291 (February 17, 1981) and has determined that, based on available quantitative data, it does not constitute a major rule. The reasons underlying this determination are as follows:

1. Approval will not have an effect on costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions; and

2. Approval will not have adverse effects on competition, employment, investment, productivity, innovation or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This proposed rulemaking has been examined pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, and the Office of Surface Mining has determined that the rule will not have significant economic effects on a substantial number of small entities. The reason for this determination is that approval will not have demographic effects, direct costs, information collection and recordkeeping requirements, indirect costs, nonquantifiable costs, competitive effects, enforcement costs or aggregate effects on small entities.

Further, the Office of Surface Mining has determined that the Indiana Plan will not have a significant effect on the quality of the human environment because the decision relates only to the policies, procedures and organization of the State's Abandoned Mine Land Reclamation Program. Therefore, under the Department of the Interior Manual DM 5162.3(A)(1), the Assistant Secretary's decision on the Indiana Plan is categorically excluded from the National Environmental Policy Act requirements. As a result, no environmental assessment nor environmental impact statement (EIS) has been prepared on this action. It should be noted that a programmatic EIS was prepared by OSM in conjunction with the implementation of Title IV. Moreover, an environmental analysis or an EIS will be prepared for the approval of grants for the abandoned mine land reclamation projects under 30 CFR Part 886.

The Indiana Reclamation Plan for Abandoned Mine Land Reclamation can be approved if:

1. The Assistant Secretary finds that the public has been given adequate notice and opportunity to comment, and the record does not reflect major unresolved controversies.

2. Views of other Federal agencies have been solicited and considered.

3. The State has the legal authority, policies and administrative structure to carry out the Plan.

4. The Plan meets all requirements of the OSM, AMLR Program Provisions.

5. The State has an approved Regulatory Program.

6. It is determined that the Plan is in compliance with all applicable State and Federal laws and regulations.

The Indiana Department of Natural Resources has been designated by the Governor of the State of Indiana to implement and enforce the Abandoned Mine Land Reclamation Program in accordance with SMCRA. The Department has developed State regulations to carry out the State

mandate. Contents of the State Plan submission include:

- (a) Designation of authorized State Agency to administer the program;
- (b) State's chief legal officer's opinion on the authority of the designated agency to conduct the program in accordance with Title IV of the SMCRA;
- (c) Description of the policies and procedures to be followed in conducting the program including:
 - (1) Goals and objectives;
 - (2) Project ranking and selection procedures;
 - (3) Coordination with other reclamation projects;
 - (4) Land acquisition, management and disposal;
 - (5) Reclamation on private land;
 - (6) Rights of entry; and
 - (7) Public participation in the program.
- (d) Description of the administrative and management structure to be used in the program including:
 - (1) Description of the organization of the designated agency and its relationship to other organizations that will participate in the program;
 - (2) Personnel staffing policies;
 - (3) Purchasing and procurement systems and policies; and
 - (4) Description of the accounting system including specific procedures for operation of the reclamation fund;
- (e) Description of the public's participation in the preparation of the Plan;
- (f) A general description of activities to be conducted under the Plan including:
 - (1) Known or suspected eligible lands and water requiring reclamation, including a map;
 - (2) General description of the problems identified and how the Plan proposes to deal with them;
 - (3) General description of how the lands to be reclaimed and proposed reclamation relate to the surrounding lands and land uses;
 - (4) A table summarizing the quantities of land and water affected and an estimate of the quantities to be reclaimed during each year covered by the Plan;
 - (5) General description of the social, economic, and environmental conditions in the different geographic areas where reclamation is planned, including:
 - (i) The economic base;
 - (ii) Sociologic and demographic characteristics;
 - (iii) Significant aesthetic, historic or cultural, and recreational values;
 - (iv) Hydrology, including water

quality and quantity problems associated with past mining;

(v) Flora and fauna, including endangered and threatened species and their habitat;

(vi) Underlying or adjacent coal beds and other minerals and projected methods of extraction; and

(vii) Anticipated benefits from reclamation.

Dated: December 16, 1981.

Steven Griles,

Director, Office of Surface Mining.

Dated: December 22, 1981.

Daniel N. Miller, Jr.,

Assistant Secretary Energy and Minerals.

[FR Doc. 82-1473 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD 81-062]

Proposed Change To Operating Regulations for Multnomah County Drawbridges Across the Willamette River at Portland, Oregon; Public Hearing.

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule; public hearing on proposed drawbridge regulation.

SUMMARY: Multnomah County, Oregon has requested that the Coast Guard amend the operating regulations for the Broadway, Burnside, and Morrison Bridges across the Willamette River at Portland, Oregon. If amended, the regulations would require that one-hour advance notice be given for bridge openings between the hours of 8:00 a.m. and 4:30 p.m., and two-hours advance notice at all other times. During Rose Festival Week and when the water elevation reaches and remains above +12 feet, the bridges would open on signal without advance notice. The change is being considered in the interest of increased operating efficiency for the county while providing for the reasonable needs of navigation. In view of the comments received, the Commandant has authorized a public hearing be held.

DATES: The hearing will be held On February 11, 1982. Comments will be received through February 25, 1982.

ADDRESSES: The hearing will be held in the Bonneville Power Administration Auditorium, 1002 N.E. Holladay Street, Portland, Oregon. Send copies of oral statements to the Commandant (CAN),

13th Coast Guard District, at the above address.

FOR FURTHER INFORMATION CONTACT:

John E. Mikesell, District Bridge Administrator, Room 3564, Federal Building, 915 Second Avenue, Seattle, Washington 98174 (206) 442-5864.

SUPPLEMENTARY INFORMATION: Notice of the proposed change was published in the *Federal Register* on October 8, 1981 (46 FR 49910). A public notice of the proposed change (81-N-15) was issued by the Commander, Thirteenth Coast Guard District, on 23 October 1981.

In view of comments received on the proposal, the Commandant has authorized a public hearing to be held by the Commander, Thirteenth Coast Guard District. The hearing will be held in the Bonneville Power Administration Auditorium, 1002 N.E. Holladay Street, Portland, Oregon, on Thursday, February 11, 1982, from 2:00 p.m. until all comments have been received (or 5:00 p.m.), and from 7:00 p.m. until all comments have been received.

Any person who wishes to appear and be heard at this public hearing may do so. Persons planning to appear and be heard are requested to notify the Commander (oan), Thirteenth Coast Guard District, 915 Second Avenue, Seattle, Washington 98174, any time prior to the hearing indicating the amount of time required. Written comments previously submitted are a matter of record and need not be resubmitted at the hearing.

Speakers are encouraged to provide written copies of their oral statements to the hearing officer at the time of the hearing. Those wishing to provide written comments only may submit such comments at the hearing or to the Commander (oan), Thirteenth Coast Guard District, through February 25, 1982. All comments received will be considered. A transcript of the hearing, as well as written comments received will be available for public review in the offices of the Commander (oan), Thirteenth Coast Guard District, Federal Building, 915 Second Avenue, Seattle, Washington.

[33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5); 33 CFR 1.05-1(g)(3)]

Dated: December 30, 1981.

R. I. Copin,

Captain, U.S. Coast Guard Commander, 13th Coast Guard District, Acting.

[FR Doc. 82-1522 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[AD-FRL-1945-7]

Attainment Designations by County for the Purpose of Establishing Baseline Air Quality Data

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: Under the Clean Air Act, EPA has determined the air quality of States or portions of States. Some broad areas have been designated as attainment or unclassifiable. Normally, prevention of Significant Deterioration (PSD) construction permit will be used by EPA to determine the baseline ambient air quality for areas previously designated attainment or unclassifiable. In this document, EPA proposes to define the boundaries of air quality areas for purposes of PSD baseline, and other actions concerning air quality.

DATE: Comments must be submitted on or before February 22, 1982.

ADDRESS: Comments should be mailed to: Public Information Reference Unit, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Catherine Cotter, Office of General Counsel (A-133), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, (202) 472-7806.

SUPPLEMENTARY INFORMATION: Part C of Title I of the Clean Air Act, which focuses on the prevention of significant deterioration (PSD) of air quality, applies to areas designated as attainment or unclassifiable pursuant to section 107(d) of the Act. Part C requires that prior to construction major new sources or major modifications of sources in an area subject to Part C must submit a permit application demonstrating that the facility will not cause or contribute to air pollution in excess of any maximum allowable increase above the baseline air quality, or in excess of any national ambient air quality standard (NAAQS). See sections 163 and 165. The baseline ambient air quality is defined in Section 169(4) as the ambient concentration of a pollutant prevailing at the time that the first permit application is filed "in an area." The Act, however, does not specify what constitutes "an area."

EPA originally interpreted section 169 as allowing the Agency to set a uniform baseline date for all areas in the Country. See 40 CFR 51.24(b)(11),

52.21(b)(11) (1979). Consequently, neither EPA nor the States thought that the designation of an area was relevant to the establishment of baseline ambient air quality data when the attainment designations were first promulgated, pursuant to section 107(d). 43 FR 8962 (March 3, 1978). Many States designated specific areas as nonattainment but submitted attainment and unclassifiable designations encompassing large areas, in some cases entire States, using phrases such as "entire States," "rest of State," etc.

Since that time the United States Court of Appeals for the District of Columbia Circuit has held that a uniform baseline date is not authorized by Section 169, and that the Act requires the baseline date to be established separately for each area to which Part C applies at the time of the first permit application within the area. *Alabama Power Co. v. Costle*, 636 F.2d 323 (1979). EPA has determined that the term "area" means the attainment or unclassifiable area within which the permit application is filed. 45 FR 52715 (August 7, 1980). As a result, in many States where attainment designations have been made that encompass an entire State or large portions of a State, the first permit application filed within these areas could now trigger a baseline air quality determination for the entire area. These areas are typically much larger than the actual area of significant air quality impacts of a proposed source; triggering the baseline date for the entire area could therefore unnecessarily restrict growth in an area.

In the interest of administrative convenience and to afford the States more flexibility in air quality planning, EPA is proposing that such blanket attainment designations be interpreted as establishing individual designations for each county in the area. As a result, a permit application for construction within a previously undifferentiated attainment area will establish the baseline air quality only for the county in which the proposed source will have a significant impact as defined in EPA's regulations.¹

EPA has chosen to differentiate these blanket attainment and unclassifiable areas on a county-by-county basis because counties were the geographic units most frequently adopted by States that originally submitted specific attainment designations. EPA recognizes that some states, e.g., Louisiana, may not have counties at all, or may be

organized so that the use of counties for the purposes of the regulation would be inappropriate. At any time States may request EPA to redesignate their attainment or unclassifiable areas using Air Quality Control Regions or other appropriate geographic units. EPA explicitly requests that States submit alternative attainment designations as comments to this rulemaking, and EPA will revise the final rule as necessary to deal with these concerns. States may request redesignations using areas smaller than counties so long as the redesignated area is no smaller than the area in which the baseline date has been set due to the filing of a permit application by a source subject to PSD requirements that would have a significant air quality impact on the area. See 40 CFR 51.24(b)(15)(ii). If a permit application has already established a baseline date for a large area within which the redesignated area lies, that baseline date will no longer be applicable upon approval of the redesignation.²

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This rule, if promulgated, is not major because it is only a redefinition of attainment areas and imposes no new regulatory requirements. Furthermore, this rule is intended to alleviate economic burdens and will not impose increased costs on consumers, industries, or government agencies.

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that for the above-stated reasons this proposed rule will not have a significant economic impact on a substantial number of small entities.

This rule was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

This notice of proposed rulemaking is issued under the authority of section 107(d) of the Clean Air Act, as amended, 42 U.S.C. 7407(d).

Dated: January 7, 1982.

Anne M. Gorsuch,
Administrator.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

It is proposed that Part 81 of Chapter I of Title 40 of the Code of Federal

² However, the boundaries of a redesignated area may not encroach upon the area of impact of any major stationary source or major modification that has already established the baseline date for the area or part of the area proposed for redesignation. See 45 FR 52716 (August 7, 1980).

¹ A source is considered to impact an area if it changes the air quality by 1 µg/m³ or more of sulfur dioxide or particulate matter on an annual basis. 45 FR 52716 (August 7, 1980).

Regulations be amended by adding the following paragraph (b) to § 81.300. The existing paragraph is designated as paragraph (a).

§ 81.300 Scope

(b) Wherever the air quality status of a State or a portion of a State has been designated attainment or unclassifiable by a generally inclusive term such as "remainder of State," "rest of State," "rest of Air Quality Control Region," "Statewide," "entire State," "whole State," or other similar phrase, that State or portion thereof shall be deemed to be designated attainment or unclassifiable on a county-by-county basis, unless a State chooses to redesignate on some other appropriate basis. A redesignation may not alter the baseline date for an area in which the date has been established as prescribed in 40 CFR 51.24(b)(15)(ii).

[FR Doc. 82-1513 Filed 1-20-82; 8:45 am]

BILLING CODE 6560-33-M

**FEDERAL EMERGENCY
MANAGEMENT AGENCY**

44 CFR Part 67

[Docket No. FEMA-6181]

**National Flood Insurance Program;
Proposed Flood Elevation
Determinations**

Correction

In FR Doc. 81-31708 appearing at page 54599 in the issue for Tuesday, November 3, 1981, please make the following correction:

On page 54602, in the last entry for Minnesota, in the location column, "Speltz Creek" should be moved to the source of flooding column. The location items "About 150 feet upstream of Main Street" and "At upstream corporate limits" are associated with Speltz Creek. In the last column please remove "About 150".

BILLING CODE 1505-01-M

Notices

Federal Register

Vol. 47, No. 14

Thursday, January 21, 1982

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Black Hills National Forest Grazing Advisory Board; Meeting

The Black Hills National Forest Grazing Advisory Board will meet at 10:00 a.m., February 12, 1982 in the Conference Room of the District Ranger's Office, Spearfish, South Dakota. The purpose of this meeting is to acquaint new Board members with the range management plans and expenditure of range betterment funds as well as to obtain their views on the Board's functions for the year and to firm up plans for the annual field trip.

The meeting will be open to the public. Persons who wish to attend should notify Leon Fager, Black Hills National Forest, 605/673-2251.

Dated: January 12, 1982.

James R. Mathers,
Forest Supervisor.

[FR Doc. 82-1423 Filed 1-20-82; 8:45 am]

BILLING CODE 3410-11-M

Prescott National Forest Grazing Advisory Board; Meeting

The Prescott National Forest Grazing Advisory Board will meet at 10:00 a.m. on February 26, 1982, at the Forest Supervisor's Office in Prescott, Arizona.

The purpose of this meeting is to review items of mutual interest to grazing permittees and the Forest Service. Discussion will be limited to use of range betterment funds and management planning.

The meeting will be open to the public. Persons who wish to attend should notify the Forest Supervisor, Prescott National Forest, 344 South Cortez Street, Prescott, Arizona, telephone number 602-445-1762. Written statements may be filed with the Board before or after the meeting.

The Board has established the following rules for public participation:

Members of the public will be given an opportunity for comments and questions following discussion by the Advisory Board.

Donald H. Bolander,
Forest Supervisor.

January 12, 1982.

[FR Doc. 82-1424 Filed 1-20-82; 8:45 am]

BILLING CODE 3410-11-M

Nicolet National Forest Land and Resource Management Plan, State of Wisconsin; Intent To Prepare an Environmental Impact Statement

Pursuant to the National Environmental Policy Act of 1969 the Forest Service, Department of Agriculture will prepare an Environmental Impact Statement on the proposed Land Resource Management Plan for the Nicolet National Forest in Wisconsin.

The plan is being prepared in accordance with requirements of the Secretary of Agriculture's regulations developed pursuant to the National Forest Management Act of 1976. It will propose management direction for the National Forest System Lands within the proclamation boundaries of the Nicolet National Forest.

The planning process began with the identification of public issues, management concerns, resource use, and development opportunities. Public participation has been an integral part of the planning process. Response forms, meetings, and other public involvement tools were used to identify and verify issues early in the planning process. Major new issues will be considered as they are identified during the planning process.

The planning criteria will be developed and data will be collected and analyzed to determine how the identified issues and concerns can best be resolved. An assessment of the capability of the land resource outputs and the determination of the public's future demands for these outputs will be made. Methods for resolving the identified public issues will be developed from this information and will be used to formulate alternatives.

Alternatives will display a range of resource outputs at several expenditure levels. Each alternative will represent a cost-effective combination of

management practices which can best meet the objective for the alternative. In addition, each identified major public issue will be addressed, each alternative will specify methods to maintain or enhance renewable resources, and a no change alternative will be included.

A preferred alternative will be selected by ranking the alternatives according to their physical, biological, social, and economic effects. It will include the best combination of resource uses on the Forest and will also provide for continuous monitoring and evaluation process.

A Draft Environmental Impact Statement (DEIS) and Draft Plan will be released early in 1983. The Final Environmental Impact Statement (FEIS) and Land and Resource Management Plan will be released approximately ten months later.

Steve Yurich, Regional Forester, Eastern Region, is responsible for approval of the Forest plan. Jim Berlin, Forest Supervisor of the Nicolet National Forest is the responsible official in charge of preparation and implementation of the plan. Further information about the planning process can be obtained by calling Terry Moore, Planning Staff Officer on the Nicolet National Forest at 715 362-3415. Written comments on this Notice of Intent should be directed to: Forest Supervisor, Nicolet National Forest, Federal Building, Rhinelander, WI 54501.

Dated: January 8, 1982.

James H. Freeman,
Director of Planning, Programming and Budgeting.

[FR Doc. 82-1422 Filed 1-20-82; 8:45 am]

BILLING CODE 3410-11-M

Pacific Crest National Scenic Trail Location; Decision Notice and Finding of No Significant Impact

In the matter of Pacific Crest National Scenic Trail Relocation, "Warner Springs to Banner Canyon," Palomar Ranger District, Cleveland National Forest, San Diego County, California.

Background

The 1968 National Trails System Act designated the Pacific Crest National Scenic Trail (PCNST) between Mexico and Canada for hikers and equestrians. The Act assigned primary responsibility for administration of the trail to the

Secretary of Agriculture, and he delegated this responsibility to the Chief of the Forest Service. The original route for the PCNST (Published Route) was published in the Tuesday, January 30, 1973, *Federal Register* (38 FR 2832).

A 22-mile segment of the PCNST between Warner Springs and Banner Canyon is the responsibility of the Cleveland National Forest and has not been constructed. Ninety-six percent of this segment is located on private property. Many landowners affected by the trail oppose the Published Route and are unwilling to grant a trail easement; therefore, the Forest Service is faced with condemning an easement.

Section 7(b) of the National Trails System Act provides that the trail may be relocated " * * * upon a determination that (i) such a relocation is necessary to preserve the purpose for which the trail was established, or (ii) the relocation is necessary to promote a sound land management program in accordance with established multiple-use principles." Based on this provision, the staff of the Cleveland National Forest worked with landowners and recreationists to identify acceptable alternative trail routes. Subsequently, an environmental assessment of the Published Route and seven alternative routes was completed.

Decision

Based on the environmental assessment entitled "Pacific Crest Trail Route Analysis—Warner Springs to Banner Canyon", it is my decision to adopt Alternative "F-2" (San Felipe Hills/Scissors Crossing route). The appendix to this Decision Notice provides a detailed description of the proposed relocation route.

My decision to select Alternative F-2 is based on the following:

1. The Published Route would require condemnation for an easement across seven private properties, whereas route F-2 takes maximum advantage of public property and minimizes impacts on private property.

2. Since route F-2 makes it unnecessary to condemn easements across private property, the potential for conflicts between trail users and property owners is significantly reduced. There is a corresponding reduction in management problems and costs.

3. All major conflicts, with the exception of livestock encounters, are removed.

4. While the Published Route provides a high quality recreation experience in a forested environment, route F-2 provides a good recreation experience along a crest in the desert and is the

best route across Vista Irrigation District and the San Felipe Ranch. It takes advantage of excellent trailhead opportunities at Barrel Springs and Scissors Crossing, and highway crossings are relatively safe.

5. Route F-2 minimizes impacts on resources. It avoids high quality farm and rangeland and is in the safest vegetation type with regard to wildfire hazard. Sensitive wildlife habitat and plant species in the Volcan Mountains are avoided, as are sensitive cultural resource areas.

6. Construction of the trail along route F-2 will cost approximately \$100,000 more than on the Published Route; however, this is more than offset by reduced costs of acquiring easements across private property and by lower costs per mile for annual maintenance.

7. Route F-2 is compatible with the Bureau of Land Management's plan for locating the trail south to Cuyamaca.

Finding of No Significant Impact

A number of issues and concerns from landowners, recreationists, and the Forest Service were developed to guide the environmental analysis of the alternative trail routes. The major issues and concerns were consolidated into ten topics:

1. *PCNST recreation experience*: This concern involves aspects of the experience considered important in *The Pacific Crest Trail: Guide for Location, Design and Management*. Shade, viewing opportunities, water access, campsites, and conflicts with land uses were essential components of this concern.

2. *Infringement on private property and landowners*: This concern includes trespass, vandalism, and disturbance of solitude and existing lifestyles by trail users.

3. *Indian Reservation*: The Bureau of Indian Affairs and Santa Ysabel Band of Indians oppose a trail across the reservation. A right-of-way by condemnation is not an option since one Federal Agency cannot condemn property administered by another.

4. *Land use*: Possible mining and residential development and growth on the Volcan Mountains and near San Felipe may eventually degrade the trail environment and associated recreation opportunities. Effects of off-road vehicle use were another land use concern.

5. *Threatened, endangered, and sensitive plant and animal species*: Southern bald eagle and golden eagle habitat and one sensitive plant, a Mariposa lily, occur in the Volcan Mountains.

6. *Safety of trail users*: Fire, mining activity, steep and unstable terrain, and

livestock and highway crossings are potential hazards.

7. *Prime rangeland and farmland*: The expansive San Jose Valley, the top of the Volcan Mountains, and the San Felipe Valley areas could be impacted by a trail and the associated use.

8. *Fire*: Introducing more recreationists into high risk forest and range-land fuels may increase the chance of wildfire.

9. *Cultural resources*: Concerns include potential impacts to archaeological and historical resources by trail construction and use.

10. *Other biophysical*: This topic includes impacts upon wildlife, vegetation, flood plains and soils.

Originally, six routes for the PCNST were analyzed and compared. Three routes were located over the Volcan Mountains (Westerly Route—Alternative A; Published Route or No-Action—Alternative B; and Volcan Mountain—Alternative C), one route on the east slope of the Volcan Mountains (Mid-slope Route—Alternative D), one route in the San Felipe Valley foothills to the Volcan Mountains (Foothill Route—Alternative E), and one route in the San Felipe Hills (San Felipe Hills Route—Alternative F).

On February 24, 1981, Forest Supervisor Ralph Cisco announced to the public his intent to recommend Alternative F. There was general support from most landowners, the Bureau of Land Management (BLM), concerned recreationists, and the PCNST Advisory Committee. However, unexpected opposition to the route was voiced by the owners of San Felipe Ranch. Field meetings with these property owners and PCNST advocates resulted in two modifications of Alternative F where it crosses the San Felipe Ranch. These routes were labeled the San Felipe Hills/Middle Ranch Crossing—Alternative F-1 and San Felipe Hills/Scissors Crossing—Alternative F-2. On May 1, 1980, the previous six PCNST routes were again analyzed and compared with the two modifications of Alternative F. This analysis examined alternatives to the Published Route within Forest Service responsibility and routes extending into BLM responsibility that logically connect to the Published Route. The analysis was performed jointly with BLM to ensure coordinated planning and to preserve the trail's integrity.

In the final analysis, the decision for a change from the Published Route was narrowed to two basic routes, Alternative C and Alternative F. Alternative C is a minor refinement of the Published Route to mitigate many

shortcomings and conflicts, while retaining a quality trail environment. Alternative F includes the two San Felipe Ranch crossing modifications, F-1 and F-2.

The other alternatives were rejected for the following reasons:

1. Alternative A is similar to Alternative C with respect to mitigating conflicts of the Published Route and offering a high quality trail environment; however, it crosses the Santa Ysabel Indian Reservation. As previously noted, the Santa Ysabel Band is opposed to the trail and will not agree to a trail easement.

2. Alternatives D and E were screened from the final analysis because they offer relatively poor recreation opportunities without significantly mitigating private property conflicts.

To compare the best recreation route over the Volcan Mountains (Alternative C) with the routes that best minimize private property impacts, (Alternatives F, F-1, and F-2) it is useful to examine their similarities. These routes use the same location across Vista Irrigation District avoiding prime rangeland, minimizing private property conflicts, and offering a quality recreation environment. They also cross Highway 78 east of the mouth of Banner Canyon, a location necessary to avoid poor crossings farther to the west and to tie-in with BLM's plans for continuing the trail south. Otherwise, Alternative Routes C, F, F-1, F-2 are quite different.

Alternative C provides a quality, ridgeline recreation opportunity in a wooded setting consistent with objectives for the PCNST. However, it causes a greater impact on private lands with a resulting potential for conflicts between landowners and trail users. It also would introduce more people into the habitat of the golden eagle, bald eagle, and the sensitive Mariposa lily in the Volcan Mountains. The risk of forest and rangeland fires would also be increased.

Alternative F avoids some landowner conflicts, but has a major conflict with San Felipe Ranch as described earlier. Alternatives F-1 and F-2 both avoid the landowner conflicts and potential adverse environmental effects of Alternative C. Alternative F-2 further reduces impacts on private lands by taking advantage of a location on public lands. While Alternative F-1 and F-2 do not provide as high a quality of year-round recreation experience as Alternative C, they do provide a good recreation experience in a desert crest setting. This adds some interesting diversity to the trail as a whole, especially in spring and fall.

Considerable public involvement took place in the development and assessment of alternative trail routes. The California Sub Group of the PCNST Advisory Council has also been consulted and their recommendations were considered in relocating the trail routes.

All practical means have been taken to avoid or minimize adverse effects on the environment in selecting Alternative F-2. Potential adverse effects are identified in the criteria established to guide the analysis, and mitigation was a strong consideration in the alternative selected. The relocation does not involve wetlands or flood plains.

Based on the environmental analysis, which is summarized above, it is determined there are no irreversible resource commitments and no irretrievable loss of habitat. Critical concerns of the public have been mitigated, and no adverse cumulative or secondary effects were found. The environmental assessment indicates there will be no significant adverse effects upon the quality of the environment; therefore, an environmental impact statement is not needed.

The environmental assessment is available for review during regular working hours in the following Forest Service offices:

USDA, Forest Service, 880 Front Street, San Diego, CA 92188

USDA, Forest Service, Recreation Management, Room 4240, 12th and Independence Avenue SW., P.O. Box 2417, Washington, DC 20013.

For further information about the proposed relocation, contact William W. Braumlette, District Resource Officer, Palomar Ranger District, 332 South Juniper ST., Suite 100, Escondido, CA 92025, (714)745-2421.

Implementation of this trail relocation may take place immediately.

This decision is subject to administrative review pursuant to 36 CFR 211.19.

Dated: December 30, 1981.

Douglas R. Leisz,
Associate Chief.

Appendix—Pacific Crest National Scenic Trail Relocation

Warner Springs—Banner Canyon Segment, Palomar Ranger District, Cleveland National Forest, San Diego County, California

This minor relocation is proposed under the provisions of Section 7(b) of the National Trails System Act (82 stat. 919: U.S.C. 1241-1249). The following wording changes to the Tuesday, January 30, 1973 Federal Register, (Vol. 38, No. 19, Part II) are recommended:

Page 2837, Column 1, Paragraph 2, Lines 7-17
Delete: " * * * Continuing, it crosses San Ysidro Creek and Buena Vista Creek, climbs Volcan Mountain, passes Catfish Springs, Furguson Flat and enters a Bureau of Land Management Unit as it descends into Banner Canyon, where it crosses State Highway 78. As it passes through this unit, the trail stays on the ridge west of Chariot Canyon, then for several miles zigzags * * * "

Add: " Continuing, it follows Canada Verde Creek east for 1.5 miles, then turns south crossing San Ysidro Creek and Buena Vista Creek to Barrel Springs. The Trail then enters Bureau of Land Management and Anza Borrego Desert State Park units where it remains along the crest of the San Felipe Hills until it descends into San Felipe Valley at Scissors Crossing. It then enters back into Anza Borrego Desert State Park, ascending the north side of Granite Mountain to 3,000 feet before continuing west, crossing Rodriguez Canyon and then south through Bureau of Land Management land. Then, for several miles it zigzags * * * "

The above route relocation proposal also requires changes of the map base shown on pages 2941 and 2942 or the original Federal Register publication as shown on the attached maps.¹

Page 2837, Column 3

Delete the following described private lands:

Township	Range	Section
11 South.....	3 East.....	36
11 South.....	4 East.....	10, 19, 30, 31
12 South.....	4 East.....	6, 7, 8, 16, 17, 20, 21, 28, 32, 33
13 South.....	4 East.....	4, 15, 23, 26, 35

Santa Ysabel Indian Reservation.

Add the following described private lands:
Rancho Valle de San Felipe

[FR Doc. 82-1519 Filed 1-20-82; 8:45 am]

BILLING CODE 3410-11-M

CIVIL AERONAUTICS BOARD

Commuter Fitness Determination

The Board is proposing to find the following carriers fit willing and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended, and that aircraft used in this service conform to applicable safety standards.

Order	Applicant	Response date
82-1-48	Aviation Methods, Inc.....	Feb. 1, 1982.
82-1-49	Mail Airways, Inc.....	Feb. 1, 1982.
82-1-59	Air Lincoln, Inc.....	Feb. 2, 1982.

¹ Maps filed as a part of original document.

All interested persons wishing to respond to the Board's tentative fitness determination shall serve their responses on all persons listed in Attachment A of the respective orders and file response or additional data for Orders 82-1-48, -49, and -59 with the Special Authorities Division, Room 915, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

The complete text of the orders is available from the Distribution Section, Room 100, 1825 Connecticut Avenue, Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request to the above address.

FOR FURTHER INFORMATION CONTACT:

Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, Washington, D.C. 20428 for Orders 82-1-48 and 49; Ms. Patti Szrom, (202) 673-5088, and for Order 82-1-59: Mr. John McCamant, (202) 673-5082.

By the Civil Aeronautics Board, January 13, 1982.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 82-1504 Filed 1-20-82; 8:45 am]

BILLING CODE 6320-01-M

Order Concerning Mail Rates

Order 82-1-61, 1982, Docket 40150, fixes temporary intra-Alaska service mail rates for Evergreen Helicopters of Alaska, Inc., at the rates established for Wien Air Alaska in Order 80-12-152.

Copies of the order are available from the Civil Aeronautics Board Distribution Section; Room 100, 1825 Connecticut Avenue, N.W., Washington, D.C., 20428. Persons outside the Washington metropolitan area may send a postcard request.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 82-1503 Filed 1-20-82; 8:45 am]

BILLING CODE 6320-01-M

CIVIL RIGHTS COMMISSION

Colorado Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Colorado Advisory Committee to the Commission will convene at 9:00 a.m., and will end at 12:00 p.m., on February 13, 1982, at the Central Classroom Building, 1006 Eleventh Street, Room 301, Denver, Colorado, 80202. The purpose of this meeting is to conduct orientation for the new members of the Committee, and to discuss program plans for Fiscal Year 1982.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Mr. Minoru Yasui, 1150 South Williams, Denver, Colorado, 80210, (303) 575-2621 or the Rocky Mountain Regional Office, Brook Towers, 1020 Fifteenth Street, Suite 2235, Denver, Colorado, 80202, (303) 837-2211.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 18, 1982.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 82-1451 Filed 1-20-82; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

Minority Business Development Agency

Financial Assistance Application Announcement

The Minority Business Development Agency announces that it is seeking applications under its program to operate four San Francisco Region projects for twelve month period beginning June 1, 1982. The aggregate total costs of the projects is \$2,754,000.

Funding Instrument: It is anticipated that the funding instruments as defined by the Federal Grant Cooperative Agreement Act of 1977 will be Cooperative Agreements.

Program Description: Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible minority clients in areas related to the establishment and operation of businesses. These proposed projects are specifically designed to provide business information counseling, financial packaging assistance, and assistance in identifying and exploiting business opportunities and new/or expanding markets.

Applicants are invited for the following four Cooperative Agreements:

1. One Cooperative Agreement for a management and technical assistance project: Business Development Center (BDC) beginning June 1, 1982, in the Los Angeles, California SMSA and its environs. The cost of the project is estimated to be \$1,120,000. The maximum federal participation amount is \$1,008,000. The minimum amount required for non-federal participation is \$112,000. The project number is 09-10-82001-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions. Also see the final paragraph of this series.

2. One Cooperative Agreement for a management and technical assistance project: Business Development Center (BDC) beginning June 1, 1982, in the Los Angeles, California SMSA and its environs. The cost of the project is estimated to be \$1,120,000. The maximum federal participation amount is \$1,008,000. The minimum amount required for non-federal participation is \$112,000. The project number is 09-10-82002-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions. Also see the final paragraph of this series.

3. One Cooperative Agreement for a management and technical assistance project: Business Development Center (BDC) beginning June 1, 1982, in the San Diego, Calif. SMSA. The cost of the project is estimated to be \$410,000. The maximum federal participation amount is \$369,000. The minimum amount required for non-federal participation is \$41,000. The project number is 09-10-82004-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions. Also see the final paragraph of this series.

4. One Cooperative Agreement for a management and technical assistance project: Business Development Center (BDC) beginning July 1, 1982, in the Phoenix, Arizona SMSA. The cost of the project is estimated to be \$410,000. The maximum federal participation amount is \$369,000. The minimum amount required for non-federal participation is \$41,000. The project number is 09-10-82009-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions. Also see the final paragraph of this series.

The same applicant shall not receive the Cooperative Agreement award for both the Los Angeles, California SMSA requests. MBDA requires that non-affiliated business organizations service the Southern California area. However,

applicants may submit proposals for both requests covering the Los Angeles, California SMSA and its environs.

Closing Date: February 25, 1982.

Proposals are to be mailed to the following address: Minority Business Development Agency, U.S. Department of Commerce, San Francisco Regional Office, 450 Golden Gate Avenue, Box 36114, San Francisco, California 94102.

For further information contact:

Mr. Mikel R. Cook, Program Analyst, Phone Number 415/556-6733

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

(This program is subject to the requirements of OMB Circular A-95)

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit-through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or

cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff.—Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (Preferences from clients assisted are pertinent.)

Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local public and private entities—that can possibly enhance the BDC program effort—i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint-ventures.

Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and Methodology.—Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources.—Address technical and administrative resources, i.e., computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—means cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—are charges to the client for assistance provided by BDC.

C. In-Kind contribution—represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs.—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under

Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

Clear explanations of all expenditures proposed, and

The extent to which the applicant can leverage federal program funds and operate with *economy* and *efficiency*.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered non-responsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information, copies of application forms, and applicable regulations can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A Pre-Application conference to assist all interested applicants who will be held at the above address on February 1, 1982, at the above address, Room 2007 at 10:00 A.M.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: January 15, 1982.

Powell Mc Daniel,

Deputy Regional Director.

[FR Doc. 82-1496 Filed 1-20-82; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Charleston, S.C. SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning May 1, 1982 in the Charleston/N. Charleston, SC SMSA. The cost of the project is estimated to be \$170,000. The maximum federal participation amount is \$153,000. The minimum amount required for non-federal participation is \$17,000. The project number is 04-10-82008-01.

Applicants shall be required to contribute at least 10% the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: February 19, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree Street, NE., Suite 505, Atlanta, Georgia 30309.

FOR FURTHER INFORMATION CONTACT: Mr. Charles F. McMillan, Regional Director (404) 881-4091.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of this Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff. Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (references from clients assisted are pertinent.)

Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local, public, and private entities that can possibly enhance the BDC program effort i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint ventures.

Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and Methodology—specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—Address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—Cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—A fee will be charged to clients for assistance provided by BDC.

C. In-Kind contribution—Represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to

achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

Clear explanations of all expenditures proposed, and

The extent to which the applicant can leverage federal program funds and operate with *economy* and *efficiency*.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification for all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered non-responsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information, copies of application forms, and applicable regulations can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A Pre-Application conference to assist all interested applicants will be held at the above address on February 5, 1982 at 1:00 PM.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: January 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-1494 Filed 1-20-82; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Columbia, S.C.

AGENCY: Minority Business Development Agency.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning May 1, 1982 in the Columbia, S.C. SMSA. The cost of the project is estimated to be \$170,000. The maximum federal participation amount is \$153,000. The minimum amount required for non-federal participation is \$17,000. The project number is 04-10-82014-01.

Applicants shall be required to contribute at least 10% the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: February 19, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree Street, NE., Suite 505, Atlanta, Georgia 30309.

FOR FURTHER INFORMATION CONTACT: Mr. Charles F. McMillan, Regional Director (404) 881-4091.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit-through which and from which

information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff

Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (references from clients assisted are pertinent.)

Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing

relationships with local, public, and private entities that can possibly enhance the BDC program effort i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, State, city and county government agencies, etc.

Staff

List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint ventures.

Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and Methodology—

Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as guides and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—Address technical and administrative resources, i.e., computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—Cash that is contributed or donated by the recipient, by other non-Federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—A fee will be charged to clients for assistance provided by BDC.

C. In-Kind contribution—Represent the value of non-cash contributions provided by the recipient and non-Federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

Clear explanations of all expenditures proposed, and

The extent to which the applicant can leverage federal program funds and operate with *economy* and *efficiency*.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification for all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered nonresponsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information, copies of application forms, and applicable regulations can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A Pre-Application conference to assist all interested applicants will be held at the above address on February 5, 1982 at 1:00 p.m.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: January 11, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-1493 Filed 1-20-82; 8:45 am]

BILLING CODE 3510-12-M

Financial Assistance Application Announcement; Jacksonville, Fla., SMSA

AGENCY: Minority Business
Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning May 1, 1982 in the Jacksonville, Florida SMSA. The cost of the project is estimated to be \$170,000. The maximum federal participation amount is \$153,000. The minimum amount required for non-federal participation is \$17,000. The project number is 04-10-82004-01.

Applicants shall be required to contribute at least 10% the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: February 19, 1982.

ADDRESS: Atlanta Regional Office,
Minority Business Development Agency,
1371 Peachtree Street, NE., Suite 505,
Atlanta, Georgia 30309.

FOR FURTHER INFORMATION CONTACT:
Mr. Charles F. McMillan, Regional
Director (404) 881-4091.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management

assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit—through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff. Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (References from clients assisted are pertinent.)

Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local, public, and private entities that can possibly enhance the BDC program effort i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, State, city and county government agencies, etc.

Staff

List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint ventures.

Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and Methodology.—Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business opportunities, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources.—Address technical and administrative resources, i.e., computer facilities, voluntary staff time and space; and financial resources in terms of

meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—Cash that is contributed or donated by the recipient, by other non-Federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—A fee will be charged to clients for assistance provided by BDC.

C. In-Kind contribution—Represent the value of non-cash contributions provided by the recipient and non-Federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principle costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

Clear explanations of all expenditures proposed, and

The extent to which the applicant can leverage Federal program funds and operate with *economy* and *efficiency*.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative agreement award.

A detailed justification for all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered nonresponsive and consequently, dropped from competition.

All information submitted is subject to verification by MEDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information, copies of application forms, and applicable regulations can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A Pre-Application conference to assist all interested applicants will be held at the above address on February 5, 1982 at 1:00 PM.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: January 11, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-1490 Filed 1-20-82; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Orlando, Fla. SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning May 1, 1982 in the Orlando, Florida SMSA. The cost of the project is estimated to be \$170,000. The maximum federal participation amount is \$153,000. The minimum amount required for non-Federal participation is \$17,000. The project number is 04-10-82011-01.

Applicants shall be required to contribute at least 10% the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: February 19, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree Street, NE., Suite 505, Atlanta, Georgia 30309.

FOR FURTHER INFORMATION: Mr. Charles F. McMillan, Regional Director (404) 881-4091.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit through which and from which information and assistance to and about minority business are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

1. Capability and Experience of Firm/Staff. Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide

information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventory resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (References from clients assisted are pertinent.)

Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local, public, and private entities that can possibly enhance the BDC program effort i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint ventures.

Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and methodology—Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach,

screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—Address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—Cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—A fee will be charged to clients for assistance provided by BDC.

C. In-Kind contribution—Represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: High technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

Clear explanations of all expenditures proposed, and

The extent to which the applicant can leverage Federal program funds and operate with *economy and efficiency.*

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification for all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered nonresponsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information, copies of application forms, and applicable regulations can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A Pre-Application conference to assist all interested applicants will be held at the above address on February 5, 1982 at 1:00 PM.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: January 11, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-1492 Filed 1-20-82; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Tampa/St. Petersburg, Fla. SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning May 1, 1982 in the Tampa/St. Petersburg, FL SMSA. The

cost of the project is estimated to be \$250,000. The maximum federal participation amount is \$225,000. The minimum amount required for non-federal participation is \$25,000. The project number is 04-10-82003-01. Applicants shall be required to contribute at least 10% the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: February 19, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree Street, NE., Suite 505, Atlanta, Georgia 30309.

FOR FURTHER INFORMATION CONTACT: Mr. Charles F. McMillan, Regional Director (404) 881-4091.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of this Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit—through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so

(e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff.

Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (References from clients assisted are pertinent.)

Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local, public, and private entities that can possibly enhance the BDC program effort i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint ventures.

Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in

Attachment 0 of OMB Circulars A-110 or A-102.

II. Techniques and Methodology—specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—Address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—Cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—A fee will be charged to clients for assistance provided by BDC.

C. In-Kind contribution—Represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: High technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—Demonstrate in narrative format that costs being proposed will give the minority business clients and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

Clear explanations of all expenditures proposed, and

The extent to which the applicant can leverage federal program funds and operate with *economy* and *efficiency*.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification for all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered nonresponsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information, copies of application forms, and applicable regulations can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A Pre-Application conference to assist all interested applicants will be held at the above address on February 5, 1982, at 1:00 p.m.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: January 11, 1982.

Charles F. McMillan.

Regional Director.

[FR Doc. 82-1491 Filed 1-20-82; 8:45 am]

BILLING CODE 3510-21-M

National Technical Information Service

Intent To Grant Exclusive Patent License

The National Technical Information Service (NTIS), Department of Commerce, intends to grant to Stauffer Chemical Company, having a place of business at Westport, Connecticut 06887, an exclusive right in the United States to manufacture, use and sell products embodied in the invention, "Insect Maturation Inhibitors," U.S. Patent No. 4,002,769 (issued January 11, 1977) and in Reissue Application, Serial No. 2,083 filed January 9, 1979. The availability of this invention for licensing was announced in the *Federal Register* (42 FR 54323, October 5, 1977). Copies of the Patent may be obtained from the Office of Government Inventions and Patents, NTIS, Box 1423, Springfield, VA 22151. The patent rights in this invention have been assigned to the United States of America, as represented by the Secretary of Commerce.

The proposed exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 41 CFR 101-41.1. The proposed license may be granted unless, within sixty days from the date of this Notice, NTIS receives written evidence and argument which establishes that the grant of the proposed license would not serve the public interest.

Inquiries, comments and other materials relating to the proposed license must be submitted to the Office of Government Inventions and Patents, NTIS, at the address above. NTIS will maintain and make available for public inspection a file containing all inquiries, comments and other written materials received in response to this Notice and a record of all decisions made in this matter.

Dated: January 15, 1982.

Douglas J. Campion,

Office of Government Inventions and Patents,
National Technical Information Service, U.S.
Department of Commerce.

[FR Doc. 82-1489 Filed 1-20-82; 8:45 am]

BILLING CODE 3510-04-M

Office of the Secretary

National Voluntary Laboratory Accreditation Program (NVLAP)

AGENCY: Assistant Secretary for Productivity, Technology, and Innovation, Commerce.

ACTION: Notice of the request of the Department of Housing and Urban Development for a laboratory

accreditation program (LAP) under NVLAP for windows and doors, and call for public comment.

SUMMARY: In a letter dated December 16, 1981, the Department of Housing and Urban Development (HUD) requested the Department of Commerce (DOC) to develop a laboratory accreditation program (LAP) to accredit laboratories that test windows and doors. In accordance with NVLAP Procedures, that request is published for public comment.

DATE: Comments on this requested LAP should be submitted by March 22, 1982.

ADDRESS: Comments on the need for the requested LAP should be directed to Mr. Leslie Breden, U.S. Department of Housing and Urban Development, Washington, DC 20410 (202-755-5929). A copy of such comments should be sent to Mr. John W. Locke at the address below. Comment on matters other than the need for the requested LAP, including the standards and test methods proposed for the LAP, should be addressed to John W. Locke, NVLAP Coordinator.

FOR FURTHER INFORMATION CONTACT:

John W. Locke, NVLAP Coordinator,
National Bureau of Standards,
Technology Building, Room B06,
Washington, DC 20234; (301) 921-2368.

SUPPLEMENTARY INFORMATION: This notice is published in accordance with § 7b.4 of the NVLAP Procedures (15 CFR Part 7b). Section 7b.4 permits another Federal agency: (1) To determine that there is a need to accredit laboratories within the context of a program authorized by statute, and (2) to request that DOC establish a LAP to accredit laboratories that want to participate in the agency's program. Under § 7b.4 any such request must be published in the *Federal Register* for public comment. Thereafter, DOC will determine the appropriate response to the other agency's request. If it appears that establishment of the requested LAP is appropriate, one or more public workshops will first be held, after announcement in the *Federal Register*, to consider the technical details of the requested LAP.

Accordingly, DOC hereby publishes the request from HUD dated December 16, 1981, to develop a LAP to accredit laboratories that test windows and doors in accordance with "Use of Materials Bulletins (UM's) 39, 59, and Materials Release (MR) 1010." UM's 39 and 59 and MR 1010 were issued under Subpart S of Part 200 of Title 24, Code of Federal Regulations. Subpart S

implements section 521 of the National Housing Act (12 U.S.C. 1735e).

The specific standards and test methods proposed to be included in the requested LAP are:

ANSI/AAMA 302.9-1977:

Specifications for Aluminum Prime Windows.

ANSI/AAMA 402.9-1977:

Specifications for Aluminum Sliding Glass Doors.

ANSI/AAMA 1002.9-1977:

Specifications for Aluminum Combination Vertically Sliding or Horizontally-Operating Storm Windows for External Applications.

ANSI/AAMA 1102.7-1977:

Specifications for Aluminum Storm Doors.

ANSI/NWMA I.S. 2-73: Specifications for Wood Windows.

ANSI/NWMA I.S. 3-80: Specifications for Wood Sliding Patio Doors.

ASTM E283-73: Standard Test Method for Rate of Air Leakage through Windows, Curtain Walls, and Doors.

ASTM E339-79: Standard Test Method for Structural Performance of Exterior Windows, Curtain Walls and Doors by Uniform Static Air Pressure Differences.

ASTM E331-70: Standard Test Method for Water Penetration of Exterior Windows, Curtain Walls and Doors by Uniform Static Air Pressure Differences.

NWMA I.S. 4-70: Standard for Water-Repellent Preservative Non-Pressure Treatment for Wood Mill Work.

ASTM E547-75 Standard Test Method for Water Penetration of Exterior Windows, Curtain Walls and Doors by Cyclic Static Air Pressure Differential.

Dated: January 18, 1982.

Robert B. Ellert,

Acting Assistant Secretary for Productivity, Technology and Innovation.

Text of the HUD letter to DOC is presented verbatim below:

December 16, 1981.

Mr. Robert Ellert,

Acting Assistant Secretary for Productivity, Technology and Innovation.

Dear Mr. Ellert: The Department of Housing and Urban Development requests, in accordance with Section 7(b)(4) of Title 15 of the Code of Federal Regulations, that the Departments of Commerce (DOC) and Housing and Urban Development (HUD) work together to establish a laboratory accreditation program for windows and doors (aluminum, plastic, steel and wood) in accordance with Use of Materials Bulletins (UM's) 39, 59 and Materials Release (MR) 1010. Enclosed is a list of test methods, administrators and testing laboratories.

The HUD Certification Program presently uses several administrators, each of whom is responsible for the approval of the laboratories they use. This National Voluntary Laboratory Accreditation Program

(NVLAP) effort will eliminate the duplication of approvals by administrators and minimize the cost to both industry and government.

We recommend the general and specific criteria, as published in the Federal Register announcement of January 23, 1980 (45 FR 5572-5600), to be used in accrediting window and door testing laboratories. This will include consideration of the existing program procedures now being used by HUD and HUD-accepted administrators and the NVLAP criteria. We reserve the right to review and determine acceptability of the final criteria prior to publication in the Federal Register.

Although this particular program is directed toward testing windows and doors in accordance with UM's 39, 59 and MR 1010, the testing laboratories may also benefit relative to the testing of other related products. This could encourage participation and funding from a variety of both government and private sector sources.

It should be noted that with regard to the collaborative reference testing, once a year would appear to be adequate. It is our suggestion that Mr. Lee Donahue and/or one of the HUD administrators be on your peer evaluation team.

If there are any further questions or points of interest we can clarify, please feel free to call M. Leslie Breden of my staff at 755-5929.

Sincerely,

Donald K. Baxter,

*Director, Construction Standards Division,
Office of Manufactured Housing and
Construction Standards.*

[FR Doc. 82-1452 Filed 1-20-82; 8:45 am]

BILLING CODE 3510-13-M

COMMODITY FUTURES TRADING COMMISSION

Advisory Committee on State Jurisdiction and Responsibilities Under the Commodity Exchange Act; Meeting

This is to give notice, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I, section 10(a), that the Commodity Futures Trading Commission's Advisory Committee on State Jurisdiction and Responsibilities under the Commodity Exchange Act ("Advisory Committee") will conduct a public meeting in the Fifth Floor Hearing Room at the Commission's Washington, D.C., headquarters located at Room 532, 2033 K Street, NW., Washington, D.C. 20581, on February 5, 1982, beginning at 10:00 a.m. and lasting until 4:00 p.m. The agenda will consist of discussion of:

- (1) A proposed joint enforcement seminar to be conducted for state officials by Commission staff;
- (2) Enforcement cases of interest to the Commission and the states;
- (3) North American Securities Administrators Association activities; and

(4) Possible amendments to the Commodity Exchange Act of interest to the states.

The Advisory Committee was created by the Commodity Futures Trading Commission for the purpose of receiving advice and recommendations on such matters as state enforcement of the Commodity Exchange Act and enforcement of general state criminal and civil antifraud laws. The purposes and objectives of the Advisory Committee are more fully set forth at 45 FR 27972 (April 25, 1980).

The meeting is open to the public. The Co-Chairman of the Advisory Committee, Dennis A. Dutterer, the General Counsel of the Commission, is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Advisory Committee should mail a copy of the statement to the Advisory Committee c/o Mr. Dutterer, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581, before the meeting. Members of the public who wish to make oral statements should inform Mr. Dutterer, telephone number (202) 254-9880, at least five days before the meeting. Reasonable provision will be made for their appearance, if time permits, to present oral statements of no more than five minutes each in duration.

Issued by the Commission in Washington, D.C., on January 18, 1982.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 82-1502 Filed 1-20-82; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

Draft Environmental Impact Statement (DEIS); Proposed Clear Lakes Hydropower Study, River Mile 594 Near Buhl, Idaho

AGENCY: Army Corps of Engineers, Defense.

ACTION: Notice of Intent to prepare a DEIS.

SUMMARY:

1. The proposed action is the production of electricity by constructing a new hydroelectric dam on the Snake River. We are considering alternative projects with dam heights between 25 feet and 75 feet. Preliminary studies indicate that the most economical option

would produce 138,000,000 kilowatt-hours of energy.

2. Possible alternatives to this project are: No action; other nonthermal electrical generation systems; thermal electrical generation systems; load management options; and conservation.

3. Coordination with appropriate Federal, State, and local agencies began in March 1980. Correspondence on the action will continue and public notices, news releases, and a 1982 public meeting are planned as part of the planning process. Some significant issues are considered to be: wildlife habitat changes and recreational value changes.

The Fish and Wildlife Service has been asked to evaluate the impact on the wildlife habitat.

4. The scoping process will be discussed at the 1982 public meeting but prior communications should have already given direction to the scope of the statement. To insure citizen participation, the time, date, and location of this public meeting will be announced by press release to the news media and mailing of notice to known interested parties.

5. It is estimated that the DEIS would be available to the public in December 1982.

ADDRESS: Major comments and/or your questions about the proposed action and draft environmental impact statement can be answered by: Mr. William E. McDonald, Walla Walla District, Corps of Engineers, Bldg. 603, City-County Airport, Walla Walla, Washington 99362.

H. J. Thayer,

Colonel, CE, Commanding.

[FR Doc. 82-1425 Filed 1-20-82; 8:45 am]

BILLING CODE 3710-GC-M

Defense Advisory Committee on Women in the Services (DACOWITS) Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the Executive Committee of the Defense Advisory Committee on Women in the Services (DACOWITS) is scheduled to be held from 1:30 p.m. to 5:00 p.m. February 16, 1982 in MRA&L Conference Room #3E794, The Pentagon, and from 9:30 a.m. to approximately 12:00 noon, February 17, 1982 in MRA&L Conference Room #3E794, The Pentagon. Meeting sessions will be open to the public.

The purpose of the meeting is to review the responses to the recommendations/requests for information/continuing concerns made at the 1981 Fall Meeting, discuss current

issues relevant to women in the Services, and plan the itinerary/program for the next Semiannual Meeting scheduled for April 25-29, 1982 in San Diego, California.

Persons desiring to make oral presentations or submit written statements for consideration at the Executive Committee Meeting must contact Captain Mary J. Mayer, Executive Secretary, DACOWITS, OASD (Manpower, Reserve Affairs, and Logistics), Room 3D322, The Pentagon, Washington, D.C. 20301, telephone (202) 697-5655 no later than February 10, 1982.

Dated: January 15, 1982.

M. S. Healy,

OSD Federal Register Liaison Officer,
Department of Defense.

[FR Doc. 82-1442 Filed 1-20-82; 8:45 am]

BILLING CODE 3810-01-M

DELAWARE RIVER BASIN COMMISSION

Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, January 27, 1982, commencing at 1:30 p.m. The hearing will be a part of the Commission's regular January business meeting, which is open to the public. Both the hearing and the meeting will be held in the Newport Suite at the Radisson Wilmington Hotel, 700 King Street, Customs House Plaza, Wilmington, Delaware. The subjects of the hearing will be as follows:

A. A Proposal To Amend Water Quality Interpretive Guideline No. 1 Relating to Effluent Concentration Limits of Toxic Metals

Effluent concentration limits applying to arsenic, barium, cadmium, chromium (hexavalent), copper, lead, mercury, selenium and zinc were established in section B(3)c.(ii) of Interpretive Guideline Number 1 adopted by the Commission in 1972. Since that time Commission staff has used the guideline as a basis for administering a Commission water quality standard requiring that discharges to rivers and streams "shall not contain more than negligible amounts of toxic substances." The United States Environmental Protection Agency has national standards for point-source industrial discharges, including metals limitations, that did not exist when the Commission adopted its interpretive guideline in 1972. In order to avoid duplication and inconsistencies in the implementations of standards, the Commission now

proposes to repeal section B(3)c.(ii) of Interpretive Guideline Number 1.

B. Applications for Approval of The Following Projects Pursuant to Article 11 of the Compact and/or Section 3.8 of the Compact

1. *Artesian Water Company (D-79-58 CP)*. A well water supply project to augment public water supplies in New Castle County, Delaware and allocations for existing well fields. Designated as well number 4R, the new facility is a replacement well and is expected to provide about 144,000 gallons per day.

2. *Hazleton City Authority (D-79-87 CP) (Supplement)*. An allocation of surface water from sources supplying the Authority's water supply distribution system in Carbon and Luzerne Counties, Pennsylvania. The system is currently supplied by three surface sources within the Delaware River Basin and five surface and 12 well sources within the Susquehanna River Basin. The Authority has requested approval to increase its allocation presently limited to six million gallons per day from all sources. The docket allocates diversion from Quakake Creek, Drecks Creek and Buck Creek, each of which is a tributary of the Lehigh River and requires minimum flows downstream of each taking point.

3. *North Penn Water Authority (D-80-71 CP)*. A well water supply project in the Township of Skippack, Montgomery County, Pennsylvania. Designated as Well No. 54, the new facility is expected to yield up to 290,000 gallons per day to initially supplement a satellite single well system. Within five years, the Authority plans to interconnect the satellite system with the main distribution system serving all or portions of Lansdale and Souderton Boroughs; Franconia, Hatfield, Lower Salford, Towamencin, Worcester, Skippack, Upper Gwynedd Townships in Montgomery County; and Hilltown Township in Bucks County.

4. *Upper Merion Township Authority—Matsunk Plant (D-81-69 CP)*. A project to increase the capacity of the Authority's existing Matsunk sewage treatment plant in Upper Merion Township, Montgomery County, Pennsylvania. The project would provide for removal of 85 percent of BOD and 92 percent of suspended solids from a wastewater flow of up to 2.5 million gallons per day. Treated effluent will continue to discharge to Frog Run, a tributary of the Schuylkill River.

5. *Olde Lafayette Village (D-80-64)*. A surface water withdrawal in Lafayette Township, Sussex County, New Jersey. The applicant proposes to withdraw

980,000 gallons of water per day from the Paulinskill River, circulate it in ponds which will also function as storm water detention basins, then discharge the water to the river. The ponds would be used for aesthetic purposes at the proposed Olde Lafayette Village shopping area.

6. *Heritage Farms, Inc. (D-81-64)*. A sewage treatment plant to serve the Heritage Farms-Brookfield Village development in Bedminster Township, Bucks County, Pennsylvania. Treatment facilities will provide for removal of 85 percent of BOD from a sewage flow of approximately 58,000 gallons per day. Treated effluent will be dispersed on a 75-acre spray irrigation field in Hilltown Township.

7. *Village of Neshaminy Falls (D-81-68)*. A project to upgrade sewage treatment at the Village of Neshaminy Falls Mobile Home Park in Montgomery Township, Montgomery County, Pennsylvania. Additions will be made to the existing waste treatment facilities to provide for removal of 94 percent of BOD and suspended solids from a sewage flow of up to 62,000 gallons per day. Treated effluent will discharge to the Little Neshaminy Creek.

Documents relating to the above-listed projects may be examined at the Commission's offices. Contact Mr. David B. Everett. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the date of the hearing.

W. Brinton Whitall,
Secretary.

January 12, 1982.

[FR Doc. 82-1426 Filed 1-20-82; 8:45 am]

BILLING CODE 6360-01-M

DEPARTMENT OF EDUCATION

National Institute of Handicapped Research; Proposed Funding Priorities for Fiscal Year 1982

AGENCY: Department of Education.

ACTION: Notice of proposed funding priorities for fiscal year 1982.

The Secretary of Education proposes funding priorities for research activities to be supported by the National Institute of Handicapped Research (NIHR) in fiscal year 1982. NIHR is required under the Rehabilitation Act of 1973, as amended, to develop a long-range research plan which identifies rehabilitation research that needs to be conducted and to determine funding priorities to facilitate the support of these activities. The recently published NIHR final regulations (46 FR 45300, September 10, 1981) authorize the

Secretary to establish research priorities by reserving funds to support particular research activities (see 34 CFR 351.32). The Secretary intends to annually propose priorities for public comment and to finalize the priorities through an Application Notice that invites grant proposals addressing these prioritized research areas.

Authority for the research program of NIHR is contained in section 204 of the Rehabilitation Act of 1973, as amended by Pub. L. 95-602.

Under this program, awards are issued to public and private agencies and organizations, including institutions of higher education.

The purpose of the awards is for planning and conducting research, demonstrations, and related activities which bear directly on the development of methods, procedures, and devices to assist in the provision of vocational and other rehabilitation services to handicapped individuals, especially those with the most severe handicaps.

DATE: Interested persons are invited to submit comments or suggestions regarding the proposed priorities on or before February 22, 1982.

ADDRESS: All written comments and suggestions should be sent to Betty Jo Berland, National Institute of Handicapped Research, Department of Education, Room 3511, Switzer Office Building, Washington, D.C. 20202.

For further information contact: Betty Jo Berland, National Institute of Handicapped Research, Department of Education, Room 3511, Switzer Office Building, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Telephone: 202/472-6551 or 202/245-0591.

SUPPLEMENTARY INFORMATION: NIHR regulations provide that the Secretary will solicit grant proposals by specifying in an Application Notice in the *Federal Register* national needs in rehabilitation research, which applicants must address in their grant proposals. National needs will be identified by the Secretary on an annual basis and are derived from the long-range rehabilitation research planning process required by section 202(g) of the Act.

The following proposed priorities address national rehabilitation research needs and are derived from the goals, objectives, and proposed activities articulated in the Long-Range Plan.

These proposed priorities represent only a fraction of all the goals, priorities, and activities of the Institute. They include only priorities for new and additional projects which would be funded through grants in fiscal year 1982, assuming sufficient funds are available. The publication of these

proposed priorities does not bind the U.S. Department of Education to fund projects in all or any of these areas, which depends on both the availability of funds and public response to this announcement.

The proposed priorities are:

1. Research on job assessment, job site modification, and improved placement, advancement, and retention of handicapped persons in employment, including the special employment needs of Social Security Disability Insurance claimants. This need encompasses the development of objective measures of work potential for severely handicapped individuals and the development of easily replicated methods and technological devices for modifying job sites and equipment for severely handicapped workers, which may include homebound workers.

2. Identification of the most appropriate strategies and incentives that will promote public and private sector collaboration and bring improved technology to handicapped persons through more effective use of Federal funds, including the establishment of a product evaluation capability to assess the safety and effectiveness of products developed for use by handicapped individuals and the development of minimum performance specifications for these products.

3. Research on methods to improve the rehabilitation of individuals who have a catastrophic disability (such as spinal cord dysfunction, arthritis, multiple sclerosis, cerebral palsy, severe burns, or coronary heart disease) through the development, use, and evaluation of new quantitative measures of human functions and performance.

4. Analysis of the growing field of private rehabilitation to identify its research needs, its exemplary service practices, and its impact upon public rehabilitation programs, including the implications for future governmental policy decisions regarding the use of private sector programs to meet public rehabilitation needs.

5. Identification of the vocational rehabilitation needs of learning disabled individuals and existing and potential barriers to the provision of services to this population, and development of strategies for delivering appropriate rehabilitation services to learning disabled individuals.

6. Clinical evaluation of various rehabilitation modalities for arthritis to determine their effectiveness for treatment and/or maintenance of symptom-free states.

7. Research to determine problems with the current system for producing

orthopedic footwear required by persons with neuromuscular, skeletal and circulatory problems of the feet and lower extremities.

8. Development of effective technological communication aids to be used by persons who are unable to speak or communicate orally due to birth defects, cancer, stroke, or other neuromyopathies.

9. Development and implementation of a model for the collection, organization, and dissemination of exemplary rehabilitation practices and research findings to rehabilitation practitioners, researchers, policymakers, and disabled consumers.

10. Development and testing of innovative models for utilizing existing outreach networks such as Home Demonstration Agents for the delivery of independent living services to deinstitutionalized and other severely handicapped persons in rural areas.

11. Development of new medical methods, techniques, and knowledge for the improved restoration and rehabilitation of burn-injured individuals.

12. Development of innovative methods and techniques for the restoration and rehabilitation of persons who have suffered a severe head trauma, and development and evaluation of an effective system of care for this population.

13. Development of portable devices which will enable deaf-blind persons to communicate effectively with others.

14. Research to identify the environmental factors and exemplary service practices which facilitate and maintain the functional gains accomplished as a result of the provisions of rehabilitation services to deinstitutionalized handicapped persons.

15. A Rehabilitation Research and Training Center on the unique rehabilitation needs and service delivery problems of handicapped residents of the Pacific Basin.

16. A Rehabilitation Research and Training Center on methods to meet the unique rehabilitation needs of Native Americans, taking into consideration cultural aspirations and the unique service delivery problems of this population.

17. Research on the unique handicapping problems of minority populations, such as blacks, hispanics, or other minority populations, their special rehabilitation needs, and the special problems in service delivery for these populations.

Applicable Regulations

Regulations applicable to this program include:

(1) The Department of Education General Administrative Regulations (EDGAR) (34 CFR Part 75 and 77, formerly 45 CFR Parts 100a and 100c); and

(2) Regulations governing the National Institute of Handicapped Research (34 CFR Part 350-356).

Dated: January 18, 1982.

T. H. Bell,

Secretary, Department of Education.

[FR Doc. 82-1474 Filed 1-20-82; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

National Petroleum Council, Coordinating Subcommittee of the Committee on Environmental Conservation; Meeting

Notice is hereby given that the Coordinating Subcommittee of the Committee on Environmental Conservation will meet in January 1982. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and natural gas or the oil and natural gas industries. The Committee on Environmental Conservation will analyze the environmental problems of the oil and gas industries and the impact of current environmental control regulations on the availability and costs of petroleum products and natural gas. Its analysis and findings will be based on information and data to be gathered by the various task groups. The time, location and agenda of the Coordinating Subcommittee meeting follows:

The Coordinating Subcommittee will hold its eighth meeting on Tuesday, Wednesday and Thursday, January 26, 27 and 28, 1982, starting at 9:00 a.m. each day, in the Chart Room of the Pier 66 Hotel and Marina, 2301 Southeast Seventeenth Street, Fort Lauderdale, Florida.

The tentative agenda for the meeting follows:

1. Review of the draft report of the Coordinating Subcommittee.
2. Review of the schedule for completion of the study effort.
3. Discussion of any other matters pertinent to the overall assignment of the Coordinating Subcommittee.

The meeting is open to the public. The Chairman of the Coordinating Subcommittee is empowered to conduct the meeting in a fashion that will, in his

judgement, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Coordinating Subcommittee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform G. J. Parker, Oil, Gas and Shale Resources Development Division, Fossil Energy, 301/353-2710, prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meeting will be available for public review at the Freedom of Information Public Reading Room, Room IE-190, DOE, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C., on January 6, 1982.

Jan W. Mares,

Assistant Secretary for Fossil Energy.

January 6, 1982.

[FR Doc. 82-1483 Filed 1-20-82; 8:45 am]

BILLING CODE 6450-01-M

Energy Information Administration

Publication of Alternative Fuel Price Ceilings and Incremental Price Threshold for High Cost Natural Gas

The Natural Gas Policy Act of 1978 (NGPA) (Pub. L. 95-621) signed into law on November 9, 1978, mandated a new framework for the regulation of most facets of the natural gas industry. In general, under Title II of the NGPA, interstate natural gas pipeline companies are required to pass through certain portions of their acquisition costs for natural gas to industrial users in the form of a surcharge. The statute requires that the ultimate cost of gas to the industrial facility does not exceed the cost of the fuel oil which the facility could use as an alternative.

Pursuant to Title II of the NGPA of 1978, Section 204(e), the Energy Information Administration (EIA) herewith publishes for the Federal Energy Regulatory Commission (FERC) computed natural gas ceiling prices and high cost gas incremental pricing threshold which are to be effective February 1, 1982. These prices are based on the prices of alternative fuels.

For further information contact: Leroy Brown, Jr., Energy Information Administration, Federal Building, 12th & Pennsylvania Ave., NW., Rm. 4121, Washington, DC 20461 (202) 633-9710.

Supplementary Information:

Section I. Alternative Fuel Price Ceilings

As required by FERC Order No. 50, computed prices are shown for the 48 contiguous States. The District of Columbia's ceiling is included with the ceiling for the State of Maryland. FERC, by an Interim Rule issued on March 2, 1981, in Docket No. RM79-21, revised the methodology for calculating the monthly alternative fuel price ceilings for State regions. Under the revised methodology, the applicable alternative fuel price ceiling published for each of the contiguous States shall be the lower of the alternative fuel price ceiling for the State or the alternative fuel price ceiling for the multistate region in which the State is located.

The price ceiling is expressed in dollars per million British Thermal Units (BTU's). The method used to determine the price ceilings is described in Section III.

[Dollars per million]

State	British thermal units
Alabama	3.86
Arizona ¹	3.73
Arkansas ¹	3.40
California	3.70
Colorado ¹	4.08
Connecticut ¹	4.06
Delaware ¹	3.90
Florida	4.01
Georgia ¹	4.08
Idaho ¹	4.08
Illinois	3.78
Indiana ¹	3.90
Iowa ¹	3.71
Kansas ¹	3.71
Kentucky ¹	3.90
Louisiana ¹	3.40
Maine	3.93
Maryland ¹	3.90
Massachusetts ¹	4.06
Michigan ¹	3.90
Minnesota ¹	3.71
Mississippi	4.00
Missouri	3.53
Montana ¹	4.08
Nebraska ¹	3.71
Nevada ¹	3.73
New Hampshire ¹	4.06
New Jersey	3.87
New Mexico	3.05
New York	3.86
North Carolina ¹	4.08
North Dakota ¹	3.71
Ohio	3.89
Oklahoma ¹	3.40
Oregon ¹	3.73
Pennsylvania ¹	3.90
Rhode Island ¹	4.06
South Carolina ¹	4.08
South Dakota ¹	3.71
Tennessee	3.87
Texas	3.33
Utah ¹	4.08
Vermont ¹	4.06
Virginia ¹	4.08
Washington ¹	3.73
West Virginia	3.80
Wisconsin ¹	3.90
Wyoming	3.69

¹ Region based price as required by FERC Interim Rule, issued on March 2, 1981, in Docket No. RM79-21.

Section II. Incremental Pricing Threshold for High Cost Natural Gas

The EIA has determined that the volume-weighted average price for No. 2 distillate fuel oil landed in the greater New York City Metropolitan area during November 1981 was \$41.66 per barrel. In order to establish the incremental pricing threshold for high cost natural gas, as identified in the NGPA, Title II, Section 203(a)(7), this price was multiplied by 1.3 and converted to its equivalent in millions of BTU's by dividing by 5.8. Therefore, the incremental pricing threshold for high cost natural gas, effective February 1, 1982, is \$9.34 per million BTU's.

Section III. Method Used to Compute Price Ceilings

The FERC, by Order No. 50, issued on September 29, 1979, in Docket No. RM79-21, established the basis for determining the price ceilings required by the NGPA. FERC also, by Order No. 167, issued in Docket No. RM81-27 on July 24, 1981, made permanent the rule that established that only the price paid for No. 6 high sulfur content residual fuel oil would be used to determine the price ceilings. In addition, the FERC, by Order No. 181, issued on October 6, 1981, in Docket No. RM81-28, established that price ceilings should be published for only the 48 contiguous States on a permanent basis.

A. Data Collected

The following data were required from all companies identified by the EIA as sellers of No. 6 high sulfur content (greater than 1 percent sulfur content by weight) residual fuel oil: for each selling price, the number of gallons sold to large industrial users in the months of September 1981, October 1981, and November 1981.¹ All reports of volume sold and price were identified by the State into which the oil was sold.

B. Method Used to Determine Alternative Price Ceilings

(1) *Calculation of Volume-Weighted Average Price.* The prices which will become effective February 1, 1982, (shown in Section I) are based on the reported price of No. 6 high sulfur content residual fuel oil, for each of the 48 contiguous States, for each of the 3 months, September 1981, October 1981, November 1981. Reported prices for sales in September 1981 were adjusted by the percent change in the nationwide

¹ Large Industrial User—A person/firm which purchases No. 6 fuel oil in quantities of 4,000 gallons or greater for consumption in a business, including the space heating of the business premises. Electric utilities, governmental bodies (Federal, State or Local) and the military are excluded.

volume-weighted average price from September 1981 to November 1981. Prices for October 1981 were similarly adjusted by the percent change in the nationwide volume-weighted average price from October 1981 to November 1981. The volume-weighted 3-month average of the adjusted September 1981 and October 1981, and the reported November 1981 prices were then computed for each State.

(2) *Adjustment for Price Variation.* States were grouped into the regions identified by the FERC (see Section III.C.). Using the adjusted prices and associated volumes reported in a region during the 3-month period, the volume-weighted standard deviation of prices was calculated for each region. The volume-weighted 3-month average price (as calculated in Section III.B.(1) above) for each State was adjusted downward by two times this standard deviation for the region to form the adjusted weighted average price for the State.

(3) *Calculation of Ceiling Prices.* The lowest selling price within the State was determined for each month of the 3-month period (after adjusting up or down by the percent change in oil prices at the national level as discussed in Section III.B.(1) above). The products of the adjusted low price for each month times the State's total reported sales volume for each month were summed over the 3-month period for each State and divided by the State's total sales volume during the 3 months to determine the State's average low price. The adjusted weighted average price (as calculated in Section III.B.(2)) was compared to this average low price, and the higher of the values was selected as the base of determining the alternative fuel price ceiling for each State. For those States which had no reported sales during one or more months of the 3-month period, the appropriate regional volume-weighted alternative fuel price was computed and used in combination with the available State data to calculate the State's alternative fuel price ceiling base. The State's alternative fuel price ceiling base was compared to the alternative fuel price ceiling base for the multistate region in which the State is located and the lower of these two prices was selected as the final alternative fuel price ceiling base for the State. The appropriate lag adjustment factor (as discussed in Section III.B.4.) was then applied to the alternative fuel price ceiling base. The alternative fuel price (expressed in dollars per gallon) was multiplied by 42 and divided by 6.3 to estimate the alternative fuel price ceiling for the

State (expressed in dollars per million Btu's).

(4) *Lag Adjustment.* The EIA has implemented a procedure to partially compensate for the two-month lag between the end of the month for which data are collected and the beginning of the month for which ceiling prices become effective. It was determined that *Platt's Oilgram Price Report* publication provides timely information relative to the subject. The prices found in *Platt's Oilgram Price Report* publication are given for each trading day in the form of high and low prices for No. 6 residual oil in 21 cities throughout the United States. The low posted prices for No. 6 residual oil in these cities were used to calculate a national and a regional lag adjustment factor. The national lag adjustment factor was obtained by calculating a weighted average price for No. 6 high sulfur residual fuel oil for the ten trading days ending January 14, 1982, and dividing that price by the corresponding weighted average price computed from prices published by *Platt's* for the month of November 1981. A regional lag adjustment factor was similarly calculated for four regions. These are: one for FERC Regions A and B combined; one for FERC Region C; one for FERC Regions D, E, and G and one for FERC Regions F and H combined. The lower of the national or regional lag factor was then applied to the alternative fuel price ceiling for each State in a given region as calculated in Section III.B.(3).

Listing of States by Region

States were grouped by the FERC to form eight distinct regions as follows:

- Region A:* Connecticut; Maine; Massachusetts; New Hampshire; Rhode Island; Vermont.
- Region B:* Delaware; Maryland; New Jersey; New York; Pennsylvania.
- Region C:* Alabama; Florida; Georgia; Mississippi; North Carolina; South Carolina; Tennessee; Virginia.
- Region D:* Illinois; Indiana; Kentucky; Michigan; Ohio; West Virginia; Wisconsin.
- Region E:* Iowa; Kansas; Missouri; Minnesota; Nebraska; North Dakota; South Dakota.
- Region F:* Arkansas; Louisiana; New Mexico; Oklahoma; Texas.
- Region G:* Colorado; Idaho; Montana; Utah; Wyoming.
- Region H:* Arizona; California; Nevada; Oregon; Washington.

Issued in Washington, D.C. January 18, 1982.

J. Erich Evered,

Administrator, Energy Information Administration.

[FR Doc. 82-1652 Filed 1-20-82; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-00030; TSH-FRL-2032-7]

Interagency Toxic Substances Data Committee, Open Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The next meeting of the Interagency Toxic Substances Data Committee will be held in February.

DATE: The February meeting will take place on February 2, 1982, at 9:30 a.m.

ADDRESS: The meeting will be held in: Rm. 5104, New Executive Office Building, 17th St. and Pennsylvania Ave., NW., Washington, D.C. 20006.

FOR FURTHER INFORMATION CONTACT: Sidney Siegel, (TS-777), Acting Executive Secretary, Interagency Toxic Substances Data Committee, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-317, 401 M St., SW., Washington, D.C. 20460, (202)-382-2256.

SUPPLEMENTARY INFORMATION: The regular meetings of the Interagency Toxic Substances Data Committee take place on the first Tuesday of alternate months at 9:30 a.m. and are open to the public.

The next meeting of the Interagency Toxic Substances Data Committee after the February meeting will take place on April 6, 1982.

Dated: January 8, 1982.

Sidney Siegel,

Acting Executive Secretary, Interagency Toxic Substances Data Committee.

[FR Doc. 82-1330 Filed 1-20-82; 8:45 am]

BILLING CODE 6560-31-M

[OPTS-51383; TSH-FRL-2032-8]

Polyester Diol; Premanufacture Notice

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in EPA statements of interim policy published in the *Federal Register* of May 15, 1979 (44 FR 28558) and November 7, 1980 (45 FR 74378). This notice announces receipt of one PMN and provides a summary.

DATES: Written comments by: PMN 82-13, March 12, 1982.

ADDRESS: Written comments, identified by the document control number "[OPTS-51383]" and the specific PMN number should be sent to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M St., SW., Washington, DC 20460, (202)-382-3532.

FOR FURTHER INFORMATION CONTACT: David Dull, Acting Chief, Notice Review Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-216, 401 M St., SW., Washington, DC 20460, (202)-426-2601.

SUPPLEMENTARY INFORMATION: The following is a summary of information provided by the manufacturer on the PMN received by EPA:

PMN 82-13

Close of Review Period. April 11, 1982.

Manufacturer's Identity. Claimed

confidential business information.

Organization information provided:

Annual sales—Over \$500,000,000.

Manufacturing site—East North Central region.

Standard Industrial Classification Code—286.

Specific Chemical Identity. Claimed confidential business information.

Generic name provided: Polyester diol.

Use. The manufacturer states that the PMN substance will be used as a polymer intermediate.

PRODUCTION ESTIMATES

	Kilograms per year	
	Minimum	Maximum
1st year.....	1,000	10,000
2d year.....	50,000	150,000
3d year.....	50,000	150,000

Physical/Chemical Properties

Boiling point—325°C

Flash point, closed cup—> 132°C

Viscosity, @ 60°C—200 cps

Solubility: water, @ 30°C—.9 mg/ml

Density, @ 60°C—1.076

Vapor pressure, @ 25°C—0.15 mm/Hg

Toxicity Data

Acute oral toxicity LD₅₀ (rat)—> 5.0 ml/kg

Acute dermal toxicity LD₅₀ (rabbit)—> 2.0 ml/kg

Skin irritation (rabbit)—Not a primary irritant

Eye irritation (rabbit)—Nor an irritant

Inhalation—Not lethal after 8 hrs @ 80°C

Exposure. The manufacturer states that during manufacture, processing and use 24 workers may experience dermal, inhalation, and ingestion exposure up to 24 hrs/day, up to 50 days/yr during drumming, sampling, and transfer.

Environmental Release/Disposal. The manufacturer states that less than 10 kg/yr will be released to air, land and water. Disposal is by incineration and hazardous waste management facility.

Dated: January 12, 1982.

Woodson W. Bercaw,

Acting Director, Management Support Division.

[FR Doc. 82-1329 Filed 1-20-82; 8:45 am]

BILLING CODE 6560-31-M

FEDERAL MARITIME COMMISSION

[Docket No. 82-7; Agreement No. 150-70]

Trans-Pacific Freight Conference of Japan/Korea Minority Rate Initiative; Order of Investigation and Hearing

Agreement No. 150-70, an amendment to Agreement No. 150,¹ the conference agreement of the Trans-Pacific Freight Conference of Japan/Korea (Conference), has been filed for approval pursuant to section 15 of the Shipping Act, 1916 (46 U.S.C. 814).

Agreement No. 150-70 would modify the basic Conference agreement to allow for minority rate initiative. Minority rate initiative is a procedure by which a Conference rate for the carriage of a given commodity could be lowered upon the affirmative vote of three Conference members. Pursuant to Agreement No. 150-70, minority rate initiative procedures could be utilized to reduce a commodity rate only when total Conference carryings of that commodity fell below seventy (70) percent of the total market for that commodity.

If approved, Agreement No. 150-70 would remain in effect for fifteen (15) months. Thereafter, minority rate initiative could be activated for periods of six (6) months upon the affirmative vote of a majority of the Conference members.

Notice of the filing of Agreement No. 150-70 was published in the *Federal Register* on May 27, 1981. A protest was filed by the United States Department of

Justice (DOJ). Subsequent filings were submitted by the Conference and DOJ.

Position of the Parties

Proponents' Initial Submission: In support of Agreement No. 150-70, the Conference submitted the affidavit of its Chairman, Robert D. Grey. In his affidavit, Mr. Grey outlines in detail the provisions of the proposed agreement, noting that its basic purpose is to "facilitate adjustments in the level of rates of particular commodities when it is determined there is a need to meet substantial nonconference competition." Mr. Grey asserts that the additional flexibility thereby introduced into Conference rate-making procedures would strengthen the Conference and induce independent carriers to become members.

It is asserted in the affidavit that approval of Agreement No. 150-70 is necessitated by depressed market conditions and instability in the Japan/Korea—United States Pacific Coast Trade (Trade). The declining market share of the Conference and the continued decline in rates and carrier revenues in the Trade are emphasized as further justification for approval of the Agreement.

Protest: DOJ urges the Commission to either conditionally approve Agreement No. 150-70 or to make it the subject of an evidentiary hearing. If the Agreement is to be approved, DOJ urges the Commission to eliminate the market-share threshold for the exercise of minority rate initiative and to remove the proposed fifteen-month automatic expiration date and six-month reactivation provision.

Although DOJ does not assert that minority rate initiative is *per se* violative of the antitrust laws, it believes that the market-share threshold for exercising minority rate initiative may have serious anticompetitive effects. Specifically, DOJ asserts that the market-share "triggering" mechanism raises concerns of predatory pricing and constitutes an undesirable market allocation signal from the Conference to its independent competitors. As such, inclusion of the market-share threshold provision, according to DOJ, renders Agreement No. 150-70 an unnecessarily anticompetitive solution to the problems cited by the Conference.

DOJ also objects to the fifteen-month automatic expiration and six-month reactivation provision "because it preempts the regulatory supervision of the Commission over a fundamental and competitively significant change in the manner in which the Conference fixes rates and rate policy." DOJ believes that the ultimate determination of the

continued value of minority rate initiative should be made by the Commission, not the Conference.

Response of Proponents: The Conference asserts that DOJ's concerns regarding the market-share threshold for the exercise of minority rate initiative are "extremely speculative and devoid of any substantial factual basis." DOJ's objections, the Conference asserts, assume without foundation an intent on the part of the Conference to engage in unlawful ratemaking. Further, the Conference argues that DOJ's market allocation arguments fail to take into account the inability of the Conference's independent competitors to ascertain the percent of a given commodity carried by Conference members or the ratemaking procedures utilized by the Conference to adjust a commodity rate in a given instance.

The Conference further argues that the seventy percent market-share threshold was designed to insure that minority rate initiative would not be used as a substitute for the Conference's existing ratemaking procedures, not to carve out a particular share of the market. DOJ's attempt to eliminate this "triggering" mechanism would allegedly undermine the concept of collective decision-making that is the basis of the conference system.

Finally, the Conference asserts that the automatic expiration provision and the Conference's authority to reactivate minority rate initiative upon the affirmative vote of a majority of the Conference members would not divest the Commission of its oversight over Conference ratemaking procedures. The Commission, the Conference notes, always retains the authority to scrutinize section 15 agreements. Further, the Conference argues that the Commission has previously granted similar discretionary authority in analogous situations.

Further Comments of Protestant: DOJ asserts that the Conference's responses to its objections are little more than conclusory remarks. DOJ argues that it has demonstrated the potential unreasonable restraint of trade that might be occasioned by Agreement No. 150-70's market-share "trigger" mechanism and that the Conference has failed to refute the possible anticompetitive consequences so established. Additional proceedings are allegedly necessary to explore how Agreement No. 150-70 came to be proposed, how the market-share threshold would be perceived by Conference members and independent lines alike, the potential impact of Agreement No. 150-70 on the Trade, and

¹ Current members of the Trans-Pacific Freight Conference of Japan/Korea are: American President Lines, Ltd.; Barber Blue Sea Line; Hapag-Lloyd AG; Japan Line, Ltd.; Kawasaki Kisen Kaisha, Ltd.; Knutsen Line A/S; Korea Marine Transport Co., Ltd.; Korea Shipping Corporation; Lykes Bros. Steamship Company, Inc.; Mitsui O.S.K. Lines, Ltd.; A. P. Moller-Maersk Line; Nippon Yusen Kaisha; Showa Line, Ltd.; The East Asiatic Company Limited, operating as EAC—Knutsen Line, United States Lines, Inc.; and Yamashita-Shinnihon Steamship Co., Ltd.

the availability of data regarding Conference carryings and ratemaking procedures.

DOJ further notes that the Conference's justification for the "trigger" mechanism is limited to a conclusory prediction that it is necessary to assure "trade stability." According to DOJ, the Conference's submissions fail to show any instability in the Trade or to establish that the market-share threshold device is necessary to remedy any such instability.

DOJ also reiterates its objections to the "on/off provision." It adds that the Commission in the past has not authorized comparable discretionary authority in such a potentially anticompetitive context. Such delegated powers, according to DOJ, have been linked previously to "unambiguously pro-competitive" devices.

Further Response of Proponents: In its final reply to the objections raised by DOJ, the Conference asserts that DOJ's speculations do not warrant the invocation of the Commission's formal hearing processes. It is the Conference's position that DOJ has offered nothing to detract from the Conference's justification and that, therefore, the Commission has a sufficient record before it upon which to approve Agreement No. 150-70.

Discussion

Agreement No. 150-70 introduces a novel element into the Conference's ratemaking procedures. Utilizing minority rate initiative, three Conference members would be able to compel reductions in individual Conference commodity rates. Such an approach appears to represent a middle ground between traditional collective ratemaking and independent action.

Although minority rate initiative appears to have certain pro-competitive aspects, DOJ has identified certain possible anticompetitive effects that could be occasioned by Agreement No. 150-70's market-share "triggering" mechanism. Specifically, DOJ has cited the possibility of predatory pricing and tacit market allocation agreements.

In order to determine the approvability of Agreement No. 150-70, the Commission believes that it will be necessary to resolve these issues by determining the probable impact of the proposed Agreement on Trade stability and the level of competition and service in the Trade as well as by exploring in greater detail the operational mechanics of minority rate initiative. The Commission will, therefore, provide the parties to the investigation an opportunity for further hearing to submit

affidavits and other evidence addressing the following matters:

1. The degree of instability in the Trade as demonstrated by, among other things, rate levels, carrier profitability, levels of utilization, rate actions, Conference membership, and level of services;
2. The probable impact of the Conference's implementation of minority rate initiative on overall commodity rate levels, Conference membership, Conference and independent line revenues and the adequacy of service in the Trade;
3. The probable impact of the market-share threshold for the exercise of minority rate initiative upon the market share of the Conference and independent lines;
4. The inhibiting effect, if any, of the market-share "triggering" device upon the level of competition in the Trade; and
5. The economic and transportation purposes to be served by Agreement No. 150-70's market-share "triggering" mechanism.

A further matter of concern to the Commission is the fifteen-month automatic expiration provision in Agreement No. 150-70. All parties should address the issue of the propriety of the delegation to the Conference of the discretionary authority to cancel and subsequently reactivate minority rate initiative. In discussing this issue, the parties should comment upon any precedent for such a delegation.

Accordingly, the Commission believes that Agreement No. 150-70 should be set down for investigation and further hearing. However, given the nature of the issues to be addressed during the course of this further hearing, the Commission does not now believe that a trial type hearing is necessary. Therefore, the instant proceeding will be limited to the submission of affidavits of fact and memoranda of law and oral argument before the Commission.

Now, therefore, it is ordered, that pursuant to sections 15 and 22 of the Shipping Act, 1916 (46 U.S.C. 814 & 821), a proceeding is hereby instituted to determine whether Agreement No. 150-70 shall be approved, disapproved, or modified in accordance with the provisions of section 15;

It is further ordered, that the carriers listed in the Appendix attached hereto are designated Proponents;

It is further ordered, that the United States Department of Justice is designated a Protestant;

It is further ordered, that pursuant to Rule 42 of the Commission's Rules of Practice and Procedure (46 CFR 502.42), the Commission's Bureau of Hearings

and Field Operations, as Hearing Counsel, shall be a party to this proceeding;

It is further ordered, that any person(s), other than Proponents, Protestant, and the Bureau of Hearings and Field Operations, having an interest and desiring to participate in this proceeding shall file a petition for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure (46 CFR 502.72). In order to expedite the proceeding, such person(s) desiring to intervene shall submit their affidavits and/or memoranda simultaneously with the petition to intervene;

It is further ordered, that this proceeding shall be limited to the simultaneous submission to the Commission of affidavits of fact and memoranda of law and replies thereto and oral argument before the Commission pursuant to the following schedule:

(1) Opening submissions shall be filed by all parties of record and served on all other parties of record no later than close of business February 16, 1982;

(2) Reply submissions shall be filed by all parties of record and served upon all other parties of record no later than close of business on March 5, 1982; and

(3) Oral argument shall be held on March 17, 1982;

It is further ordered, that this order be published in the *Federal Register* and a copy thereof be served upon Proponents, Protestant and the Bureau of Hearings and Field Operations;

It is further ordered, that all future notices, orders, and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of oral argument, shall be mailed directly to all parties of record; and

It is further ordered, that all documents submitted by any party of record in this proceeding shall be filed in accordance with Rule 118 of the Commission's Rules of Practice and Procedure (46 CFR 502.118), as well as being mailed directly to all parties of record.

By the Commission.

Francis C. Hurney,
Secretary.

Appendix

American President Lines, Ltd., 1950 Franklin Street, Oakland, California 94612
Barber-Blue Sea Line, 17 Battery Place, New York, New York 10004
Japan Line, Ltd., One Wilshire Building, Suite 2701, Los Angeles, California 90017
The East Asiatic Company, Ltd. (EAC-Knutson Line), c/o Bakke Steamship Corp.,

650 California Street, San Francisco, California 94108
 Hapag Lloyd AG, 1 Maritime Plaza, San Francisco, California 94111
 Kawasaki Kisen Kaisha, Ltd., 2 World Trade Center, Suite 9910, New York, New York 10048
 Korea Marine Transport Co., Ltd., c/o Nippon Yusen Kaisha, One World Trade Center, Suite 5031, New York, New York 10048
 Korea Shipping Corporation, 1 Market Plaza, San Francisco, California 94105
 Lykes Bros. Steamship Co., Inc., Lykes Center, 300 Poydras Street, New Orleans, Louisiana 70130
 Mitsui O.S.K. Lines, Ltd., One World Trade Center, Suite 2211, New York, New York 10048
 A.P. Moller-Maersk Line, One World Trade Center, Suite 3547, New York, New York 10048
 Nippon Yusen Kaisha, One World Trade Center, Suite 5031, New York, New York 10048
 Showa Line, Ltd., c/o Norton Lilly & Co., Inc., 90 West Street, New York, New York 10006
 United States Lines, Inc., 27 Commerce Drive, Cranford, New Jersey 07016
 Yamashita-Shinnihon Steamship Co., Ltd., 71 Broadway, New York, New York 10006

[FR Doc. 82-1446 Filed 1-20-82; 8:45 am]

BILLING CODE 6730-01-M

[Docket No. 82-6]

Western Pioneer, Inc.—Possible Violation of Section 2, Intercoastal Shipping Act, 1933; Order of Investigation and Hearing

Western Pioneer, Inc. (Western) provides transportation by water between the Ports of Bellingham and Seattle in the State of Washington, and Ports in the State of Alaska. Western publishes a tariff entitled Western Pioneer, Inc. Memorandum Freight Tariff No. 1, but has not filed that tariff with the Commission pursuant to section 2, Intercoastal Shipping Act, 1933 (46 U.S.C. 844). Western's tariff establishes commodity rates for more than four hundred commodities.

Western cancelled the tariff it had on file with the Commission, Tariff FMC-F No. 2, effective June 30, 1978, and it has subsequently operated without a tariff on file with the Commission.

Western contends that it is not a "common carrier by water in interstate commerce," as that term is defined in section 1, Shipping Act, 1916, as amended, (46 U.S.C. 801.)

The Commission has determined that an investigation and hearing should be instituted to determine the carrier status of Western; whether Western is in violation of the tariff filing requirements of the Intercoastal Shipping Act, 1933; whether civil penalties should be assessed against Western if it is found to be in violation of the Intercoastal

Shipping Act, 1933, and, if so, the amount of such penalties.

It is therefore ordered, that pursuant to sections 22 and 32, Shipping Act, 1916 (46 U.S.C. 821 and 831) and section 2, Intercoastal Shipping Act, 1933 (46 U.S.C. 844), a proceeding is hereby instituted to determine:

1. Whether Western Pioneer, Inc. is a "common carrier by water in interstate commerce" as that term is defined in section 1, Shipping Act, 1916, as amended, (46 U.S.C. 801);

2. Whether Western Pioneer, Inc. is in violation of section 2, Intercoastal Shipping Act, 1933 (46 U.S.C. 844) for failure to have its tariff on file with the Federal Maritime Commission; and

3. Whether civil penalties should be assessed against Western Pioneer, Inc. pursuant to 46 U.S.C. 831(e) if found to be in violation of section 2, Intercoastal Shipping Act, 1933, and, if so, the amount of any such penalty which should be imposed, taking into consideration factors in possible mitigation of such a penalty.

It is further ordered, that Western Pioneer, Inc., be named Respondent in this proceeding;

It is further ordered, that a public hearing be held in this proceeding and that the matter be assigned for hearing and decision by an Administrative Law Judge of the Commission's Office of Administrative Law Judges at a date and place to be determined by the Presiding Administrative Law Judge in accordance with Rule 61 of the Commission's Rules of Practice and Procedure (46 CFR 502.61);

It is further ordered, that pursuant to Rule 42 of the Commission's Rules of Practice and Procedure (46 CFR 502.42) the Commission's Bureau of Hearings and Field Operations, as Hearing Counsel, shall be a party to this proceeding;

It is further ordered, that any person(s) other than Respondent and Hearing Counsel having an interest and desiring to participate in this proceeding shall file a petition for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure (46 CFR 502.72);

It is further ordered, that the hearing shall include oral testimony and cross-examination in the discretion of the Presiding Officer only upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents, or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record;

It is further ordered, that this order be published in the *Federal Register*, and a copy thereof be served upon Respondent;

It is further ordered, that all future notices, orders, and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be mailed directly to all parties or counsel;

It is further ordered, that all documents submitted by any party of record in this proceeding shall be so filed in accordance with Rule 118 of the Commission's Rules of Practice and Procedure (46 CFR 502.118).

By the Commission.

Francis C. Hurney,
 Secretary.

[FR Doc. 82-1447 Filed 1-20-82; 8:45 am]

BILLING CODE 6730-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Advisory Board and Board Subcommittees; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meetings of the National Cancer Advisory Board and its Subcommittees on National Organ Site Programs, Special Actions for Grants, and Planning and Budget, January 31-February 3, 1982, National Cancer Institute, Building 31, C Wing, Conference Room 6, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20205. Portions of the Board meeting and the Subcommittee on Planning and Budget will be open to the public to discuss committee business as indicated in the notice. Attendance by the public will be limited to space available.

Portions of these meetings will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and section 10(d) of Pub. L. 92-463, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Winifred Lumsden, the Committee Management Office, NCI, Building 31, Room 10A06, National

Institutes of Health, Bethesda, Maryland 20205 (301/496-5708) will furnish summaries of the meetings, substantive program information and rosters of members, upon request.

This notice was not published within the customary scheduled period because of the time frame involved in setting up the subcommittee meetings and agenda. It would have reached the **Federal Register** by January 15, however, there was a further delay due to the government administrative leave granted as a result of inclement weather.

Name of committee: National Cancer Advisory Board

Dates of meeting: February 1-3, 1982

Place of meeting: Building 31, C Wing, Conference Room 6, National Institutes of Health

Open: February 1, 8:30 a.m.—adjournment.

February 3, 8:30 a.m.—adjournment

Agenda: Reports on activities of the President's Cancer Panel; the Director, National Cancer Institute; Human Hybridoma Research; Foreign Awards and opportunities for U.S. Scientists to receive foreign support; Cancer and Minorities; Minority Training—M.D. Anderson Experience; and reports on the NCAB Subcommittees

Closed session: February 2, 8:30 a.m.—adjournment

Closure reason: To review cancer grant applications

Name of committee: Subcommittee on National Organ Site Programs

Date of Meeting: January 31, 1982

Place of meeting: Building 31, A Wing, Conference room 4, National Institutes of Health

Closed: January 31, 7:30 p.m.—adjournment

Closure reason: To review four National Organ Site Cancer Projects

Name of committee: Subcommittee on Special Actions for Grants

Date of meeting: February 1, 1982

Place of meeting: Building 31, C Wing, Conference Room 6, National Institutes of Health

Closed: February 1, 3:30 p.m.—adjournment

Closure reason: Review of individual grant applications

Name of committee: Subcommittee on Planning and Budget

Date of meeting: February 1, 1982

Place of meeting: Building 31, A Wing, Conference Room 11A10, National Institutes of Health

Open: February 1, 7:30 p.m.—adjournment

Agenda: Review of FY 1982 and 1983 Budgets

(Catalog of Federal domestic assistance program numbers: 13.392, project grants in cancer construction; 13.393, project grants in cancer cause and prevention; 13.394, project grants in cancer detection and diagnosis; 13.395, project grants in cancer treatment; 13.396, project grants in cancer biology; 13.397, project grants in cancer centers support; 13.398, project grants in cancer research manpower; 13.399, project grants and contracts in cancer control)

(NIH programs are not covered by OMB Circular A-95 because they fit the description

of "programs not considered appropriate" in section 8(b)(4) and (5) of that Circular)

Dated: January 18, 1982.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

(FR Doc. 82-1439 Filed 1-20-82; 8:45 am)

BILLING CODE 4140-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. N-82-1106]

Privacy Act of 1974; System of Records

AGENCY: Department of Housing and Urban Development.

ACTION: Notification of system of records.

SUMMARY: The Department is giving notice of a system of records it maintains which is subject to the Privacy Act of 1974.

EFFECTIVE DATE: This notice shall become effective February 20, 1982, unless comments are received on or before that date which would result in a contrary determination.

ADDRESS: Rules Docket Clerk, Room 5218, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

FOR FURTHER INFORMATION CONTACT: Robert English, Departmental Privacy Act Officer, Telephone 202-755-5336. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The system is the Employee Identification File. It contains information identifying the employee such as employee photograph, name and signature, and other identifying data. The file is used to verify employee identity, in the issuance of HUD identification cards, and in the issuance of licenses or other benefits to employees. Appendix A, which lists the addresses of HUD offices, was published at 46 FR 54914 (November 4, 1981). A new system report was filed with the Speaker of the House, the President of the Senate, and the Office of Management and Budget on November 25, 1981.

HUD/DEPT-71

SYSTEM NAME:

Employee Identification File.

SYSTEM LOCATION:

Headquarters and field offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current Departmental employees and former employees who have been separated from the Department for six months or less.

CATEGORIES OF RECORDS IN THE SYSTEM:

Categories of records in the system include employee photograph, name and signature, Social Security Number, identification card issuance date, type of appointment, date of birth, sex, height, weight, color of hair, and color of eyes, and may include requisition for employee identification card.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To Federal, State, local, and foreign authorities for use in conducting criminal, civil, or regulatory investigations, to verify the identity of an employee.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

File folders or card files.

RETRIEVABILITY:

By name.

SAFEGUARDS:

The records are kept in locked metal file cabinets.

RETENTION AND DISPOSAL:

These records are retained and disposed of in accordance with approved schedules contained in HUD Handbook 2228.2, General Records Schedules.

SYSTEM MANAGER AND ADDRESS:

Director, Personnel Systems and Payroll Division, Office of Personnel, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410.

NOTIFICATION PROCEDURE:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

RECORD ACCESS PROCEDURES:

The Department's rules for providing access to records of the individual concerned appear in 24 CFR Part 16. If additional information or assistance is

required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

CONTESTING RECORD PROCEDURES:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410.

RECORD SOURCE CATEGORIES:

Individuals on whom the file is maintained.

(5 U.S.C. 552a, 88 Stat. 1896; Sec. 7(d), Department of HUD Act (42 U.S.C. 3535(d)))

Issued at Washington, D.C., January 11, 1982.

Judith L. Tardy,

Assistant Secretary for Administration.

[FR Doc. 82-1438 Filed 1-20-82; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. A 17000-P]

Arizona; Classification of Public Lands for State Indemnity Selection

1. The Arizona State Land Department has filed a petition for classification and application to acquire the lands described in paragraph 5 below, under the provisions of the Act of June 20, 1910 (36 Stat. 557), as amended, in lieu of certain school lands that were encumbered by other rights or reservations before the State's title could attach. This application has been assigned the serial number A-17000-P.

2. The Bureau of Land Management will examine these lands for evidence of prior valid rights or other statutory constraints that would bar transfer. Those lands found suitable for transfer will be held to be classified March 22, 1982. Classification is pursuant to Title 43 Code of Federal Regulations, Subpart 2400 and section 7 of the Act of June 28, 1934.

3. Information concerning these lands and the proposed transfer to the State of

Arizona may be obtained from the District Manager, Phoenix District Office, Bureau of Land Management, 2929 West Clarendon Avenue, Phoenix, Arizona 85017 (602-241-2854).

4. For a period of 60 days from the date of publication of this notice in the Federal Register (March 22, 1982), all persons who wish to submit comments on the above classification may present their views in writing for consideration to the Phoenix District Manager, Bureau of Land Management, 2929 West Clarendon Avenue, Phoenix, Arizona 85017. As provided by Title 43 Code of Federal Regulations, Subpart 2462.1, a public hearing will be scheduled by the District Manager if he determines that sufficient public interest exists to warrant the time and expense of a hearing.

5. The lands included in this classification are located in Mohave County, Arizona and are described as follows: (Footnotes correspond to numbered authorized users or applicants listed in Paragraph 6).

Application A-17000-P

Gila and Salt River Meridian, Arizona

T. 28 N., R. 21 W.,
Sec. 4, Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$; 1, 2, 6, 7
Sec. 5, Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$; 1, 2, 3, 6, 7
Sec. 8, E $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$; 4, 5, 6, 7
Sec. 9, All; 6, 7
Sec. 16, All; 6, 7
Sec. 17, All; 4, 5, 6, 7

Total: Approximately 3,290.12 acres.

T. 19 N., R. 20 W.,
Sec. 6, Lots 1, 2, 3, 4, 5, 6, 7, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$; 1, 2, 3
Sec. 7, Lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$; 1, 2, 3
Sec. 18, Lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$; 1, 2, 3
Sec. 19, Lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$; 1, 2, 3
Sec. 30, Lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$; 1, 2, 3
Sec. 31, Lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$; 1, 2, 3

Total: Approximately 3,828.51 acres.

T. 29 N., R. 21 W.,
Sec. 1, Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$; 2, 6
Sec. 2, Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$; 2, 3, 6
Sec. 3, Lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$; 2, 6
Sec. 10, E $\frac{1}{2}$; 2, 6
Sec. 11, All; 2, 6
Sec. 12, All; 2, 6
Sec. 13, All; 2, 6
Sec. 14, All; 2, 4, 6
Sec. 15, E $\frac{1}{2}$; 2, 6
Sec. 22, E $\frac{1}{2}$; 2, 7
Sec. 23, All; 2, 7
Sec. 24, All; 2, 7
Sec. 25, All; 2, 7
Sec. 26, All; 2, 7
Sec. 27, All; 1, 2, 7
Sec. 33, E $\frac{1}{2}$; 1, 2, 9
Sec. 34, All; 1, 2, 7
Sec. 35, All; 2, 5, 7
Sec. 36, All; 2, 8

Total: Approximately 10,558.27 acres.

T. 30 N., R. 19 W.,
Sec. 29, All; 1, 2, 3, 4
Sec. 30, All; 1, 2, 3, 5

Sec. 31, All; 1, 2, 3, 4

Sec. 32, All; 1, 3, 5

Total: Approximately 2,560.00 acres.

T. 30 N., R. 20 W.,

Sec. 24, All; 1, 3, 5

Sec. 25, All; 1, 3, 5

Sec. 35, All; 3, 5

Sec. 36, All; 2, 3, 4, 5

Total: Approximately 2,560.00 acres.

The total acreage described above for Application A-17000-P is approximately 22,796.90 acres.

6. The following listed corporations and individuals are holders of or applicants for leases, permits, and/or rights-of-way on the public lands described in Paragraph 5 above:

T. 28 N., R. 21 W.,

Rights-of-way

1. U.S. Bureau of Reclamation, P.O. Box 427, Boulder City, NV 89005, AR 035584.
2. Department of Energy, West Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005, A 12037 (ApIn).
3. Goldfield Corporation, Box 1899, Melbourne, FL 32901, A 7724.
4. Arizona Department of Transportation, 205 S. 17th Avenue, Phoenix, AZ 85007, AR 033124.
5. Citizen's Utilities Company, P.O. Box 111, Kingman, AZ 86401, AR 035212.

Grazing Lessee

6. Dale D. Smith, c/o Harry Slone, 928 Las Vegas Star Route, Kingman, AZ 86401.

Oil and Gas Lease

7. North American Energy Resources Inc., 1670 Broadway, Suite 3300, Denver, CO 80202, and Vince Allen and Associates, 3400 East Bayaud, Suite 200, Denver, CO 80209, A 16745.

T. 29 N., R. 20 W.,

Withdrawal

1. U.S. Bureau of Reclamation, P.O. Box 427, Boulder City, NV 89005, SO 5/8/1919.

Grazing Lessee

2. Dale D. Smith, c/o Harry Sloan, 928 Las Vegas Star Route, Kingman AZ 86401.

Oil and Gas Lease

3. North American Energy Resources Inc., 1670 Broadway, Suite 3300, Denver, CO 80202, and Vince Allen and Associates, 3400 Bayaud, Suite 200, Denver, CO 80209, A 16723, A 16724.

T. 29 N., R. 21 W.,

Right-of-Way

1. Goldfield Corporation, Box 1899, Melbourne, FL 32901, A 7724.

Grazing Lessee

2. Dale D. Smith, c/o Harry Sloan, 928 Las Vegas Star Route, Kingman, AZ 86401.

Range Improvements

3. Dale D. Smith, Storage Tank and Trough, A2-4-132.
4. Dale D. Smith, Storage Tank and Trough, A2-4-133.

5. Dale D. Smith, Well, Windmill, Storage Tank, A2-4-209.

Oil and Gas Leases and Applications

6. Nareco Corporation, 500 Denver Club Bldg., Denver, CO 80202, A 10358, A 10359, A 10606.

7. Tipperary Oil and Gas Corporation, P.O. Box 3179, Midland, TX 79702, A 11134, A 11135.

8. John R. Shaw, 3435 Ramona Drive, Riverside, CA 92506, A 16394.

9. North American Energy Resources, Inc., 1670 Broadway, Suite 3300, Denver, CO 80202, and Vince Allen and Associates, 3400 East Bayaud, Suite 200, Denver, CO 80209, A 16738.

T. 30 N., R. 19 W.,

Withdrawal

1. U.S. Bureau of Reclamation, P.O. Box 427, Boulder City, NV 89005, SO 1/31/1903, Temp WDL.

Right-of-Way

2. Citizen's Utilities, P.O. Box 111, Kingman, AZ 86401, A 8087.

Grazing Lessee

3. Dale D. Smith, c/o Harry Sloan, 928 Las Vegas Star Route, Kingman, AZ 86401.

Oil and Gas Leases and Applications

4. North American Energy Resources, Inc., 1670 Broadway, Suite 3300, Denver, CO 80202, and Vince Allen and Associates, 3400 East Bayaud, Suite 200, Denver, CO 80209, A 16732.

5. Patrick Petroleum Corp. of Michigan, 950 17th Street, Suite 1655, Denver, CO 80202, A 15599.

T. 30 N., R. 20 W.,

Withdrawals

1. U.S. Bureau of Reclamation, P.O. Box 427, Boulder City, NV 89005, SO 1/31/1903, Temp WDL.

Right-of-Way

2. Citizen's Utilities, P.O. Box 111, Kingman, AZ 86401, AR 035294.

Grazing Lessee

3. Dale D. Smith, c/o Harry Sloan, 928 Las Vegas Star Route, Kingman, AZ 86401.

Range Improvement

4. Dale D. Smith, Storage Tank and Trough, A 2-4-120.

Oil and Gas Lease Application

5. North American Energy Resources, Inc., 1670 Broadway, Suite 3300, Denver, CO 80202, and Vince Allen and Associates, 3400 East Bayaud, Suite 200, Denver, CO 80209, A 16722.

7. Rights-of-way granted by BLM will transfer with the land. Oil and gas leases will remain in effect under the terms and conditions of the lease. State Law and Land Department procedures (R 12-5-154 D Administrative Rules and Regulations, Arizona State Land Department) provide for the offering to holders of BLM grazing permits the first right to lease lands that are transferred

to the State. This constitutes official notice to grazing lessees that their Bureau of Land Management leases will be terminated in part upon transfer of the land to the State of Arizona.

Dated: January 12, 1982.

W. K. Barker,

Acting State Director.

[FR Doc. 82-1429 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Colorado; Craig District Grazing Advisory Board Meeting

Notice is hereby given in accordance with Pub. L. 92-463, that a meeting of the Craig District Grazing Advisory Board will be held on February 25, 1982, at the Craig District Office of the Bureau of Land Management, 455 Emerson Street, Craig, Colorado 81626. The meeting will convene at 10:00 a.m.

The agenda for the meeting will include: (1) The election of officers; (2) "Crime Stoppers" a rangeland law enforcement program; (3) the new maintenance and 8100 policy; (4) status of range improvement projects being constructed in FY '82; (5) the forage allocation and decision process in the White River Resource Area; (6) the expenditures of advisory board funds for range improvements; (7) a review and discussion of allotment management plans that have been written in accordance with the White River Grazing Environmental Impact Statement; and (9) arrangements for the next meeting.

The meeting is open to the public. Interested persons may make oral statements to the board between 10:30 and 11:30 a.m. on February 25, 1982, or file written statements for the board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, P.O. Box 248, Craig, Colorado 81626, by February 22, 1982. Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager.

Summary of minutes of the board meeting will be maintained in the District Office and be available for public inspection and reproduction (during regular business hours) within 30 days following the meeting.

Dated: January 7, 1982.

Francis E. Noll,

Acting District Manager.

[FR Doc. 82-1049 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

[N-28229]

Nevada; Realty Action Sale of Public Lands in Eureka County, Nevada

January 14, 1982.

The following described lands have been identified as suitable for disposal by sale under section 203 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716, at no less than the fair market value shown:

Parcel No.	T. 19 N., R. 53 E., MDM., Sec. 11	Acreage	Value
1	NE 1/4 NE 1/4	40.0	\$66,500
2	NE 1/4 NW 1/4 NE 1/4	10.0	20,000
3	NW 1/4 NW 1/4 NE 1/4	10.0	25,000
4	S 1/4 NW 1/4 NE 1/4	20.0	40,900
5	N 1/4 SW 1/4 NE 1/4	20.0	38,300
6	S 1/4 SW 1/4 NE 1/4	20.0	36,200
7	NE 1/4 SE 1/4	40.0	66,500
8	N 1/4 NW 1/4 SE 1/4	20.0	32,000
9	S 1/4 NW 1/4 SE 1/4	20.0	30,800
10	NE 1/4 SW 1/4 SE 1/4	10.0	15,700
11	NW 1/4 SW 1/4 SE 1/4	10.0	16,500
12	SW 1/4 SW 1/4 SE 1/4	10.0	16,500
13	SE 1/4 SW 1/4 SE 1/4	10.0	23,300
14	E 1/4 E 1/4 SE 1/4 SE 1/4	10.0	24,000
15	W 1/4 E 1/4 SE 1/4 SE 1/4	10.0	17,500
16	NE 1/4 SE 1/4 SE 1/4	10.0	21,500
17	SW 1/4 SE 1/4 SE 1/4	10.0	15,500

The Eureka County Commissioners will be given the opportunity to purchase any parcels for the county at the appraised fair market price prior to the sale. At the request of the County Commissioners, Mr. Ed Melka will be given the opportunity to purchase Parcel 14 to solve a long-standing land-use trespass case. Offers to purchase lands by Eureka County and Mr. Melka must be received at the Bureau of Land Management, Battle Mountain District Office, Second and Scott Streets, P.O. Box 194, Battle Mountain, Nevada 89820 prior to 4:30 p.m. on March 30, 1982.

The offer must be in a sealed envelope accompanied by a certified check, postal money order, bank draft or cashier's check made payable to the Bureau of Land Management for not less than one-fifth of the fair market value.

Those parcels which are not sold to Eureka County or Mr. Melka will be sold by public auction on March 31, 1982, at the Eureka County Courthouse, Eureka, Nevada. Registration of bidders will begin at 1:00 p.m. and the sale will start at 2:00 p.m. and continue until 5:00 p.m., if necessary. The lands are being sold for the community expansion of Eureka, Nevada. This is consistent with the Bureau's planning system which recommends that lands identified for disposal adjacent to Eureka be used to satisfy the community's growth needs. The public interest would be served by offering the land for sale.

The terms and conditions applicable to the sale are:

1. All minerals will be reserved to the United States.

2. A right-of-way for ditches and canals will be reserved to the United States.

3. The sale of these lands will be subject to valid existing rights, including:

a. N-26211, an oil and gas lease on the E½ of section 11 effective 1/1/81.

b. Nev-04979, a 200' R/W for U.S. Highway 50.

c. N-5638, a 12.5' R/W for a powerline.

d. Nev-067106, a 10' R/W for a telephone and telegraph line.

e. Nev-065179, a 20' R/W for a pipeline.

f. N-19823, a 25' R/W for a pipeline.

g. A 33' easement to the county around 40-acre parcels for roads and public utilities.

h. A 66' RS 2477 R/W, measured to the west of the boundary between sections 11 and 12, for state Route 46.

Detailed information concerning the sale, including the planning documents, environmental assessment and the record of the public discussions, is available for review at the Bureau of Land Management, Battle Mountain District Office, Second and Scott Streets, P.O. Box 194, Battle Mountain, Nevada 89820. No bid will be accepted for less than the appraised price and bids for a parcel must include all the land in the parcel. Federal law requires that bidders be U.S. citizens or, in the case of corporations, subject to the laws of any state or the United States.

Bids must be made by a principal or his agent, either by sealed bid mailed or delivered to the Bureau of Land Management, Battle Mountain District Office, or by oral bidding at the sale. Bids delivered or sent by mail will be considered only if received at the Bureau of Land Management, Battle Mountain District Office, Second and Scott Streets, P.O. Box 194, Battle Mountain, Nevada 89820 prior to 4:30 p.m. on March 30, 1982. Each bid must be in a sealed envelope accompanied by a certified check, postal money order, bank draft or cashier's check, made payable to the Bureau of Land Management for not less than one-fifth of the amount of the bid. The envelopes must be marked in the lower left-hand corner as follows: "Bid Parcel No. ; Sale to be Held March 31, 1982". The highest sealed bid on each parcel will determine the base of the oral bidding conducted the day of the sale. If two or more envelopes are received containing valid bids of the same amount for the same parcel, the determination of which is to be considered the highest bid will be by drawing. The highest qualifying sealed bid will be publicly declared on

the day of the sale and oral bids will be invited. After oral bids, if any, are received, the highest qualifying bid will be declared by the authorized officer. The person declared to have entered the highest qualifying oral bid shall submit payment by cash, personal check, bank draft, money order, or any combination for not less than one-fifth of the amount of the bid immediately following the close of the sale. The successful bidder shall submit the remainder of the full bid price within 30 days of the sale. Failure to submit the full bid price within 30 days result in cancellation of the sale of the specific parcel and the deposit shall be forfeited and disposed of as other receipts of sale. All bids will be either returned, accepted, or rejected in writing within 30 days of the sale date.

Any parcels not sold on the day of the sale will be offered for sale from 10:00 a.m. to 11:00 a.m. each Monday after the sale. This will continue until all parcels are sold or until the appraisals are no longer valid. The place of the sale is the Battle Mountain District Office, Second and Scott Streets, Battle Mountain, Nevada.

For a period of 45 days from the date of this notice, interested parties may submit comments to the BLM Nevada State Director, 300 Booth Street, Reno, NV 89520. Any adverse comments will be evaluated by the State Director who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director this realty action will become the final determination of the Department of the Interior.

Wm. J. Aalencik,

Chief, Division of Technical Services.

[FR Doc. 82-1432 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Roswell District Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Grazing Advisory Board Meeting.

SUMMARY: In accordance with Pub. L. 94-579, this notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Roswell District Grazing Advisory Board.

DATE: February 23, 1982, beginning at 10 a.m. A public comment period will begin at 2 p.m.

LOCATION: This meeting will be held in the conference room of the Roswell District Office, 1717 W. Second Street, Roswell, NM 88201.

FOR FURTHER INFORMATION CONTACT:

John L. Gregg, District Manager, or Tim Kreager, Chief, Planning and Environmental Assistance Staff, U.S. Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201, (505-622-7670).

SUPPLEMENTARY INFORMATION:

The proposed agenda will include: (1) Discussion on proposed Grazing Regulation Changes, (2) Criteria for Allotment Categories (M-I-C), (3) Status of West Side Inventory and Planning, (4) Status of Range Betterment Fund and FY 82 program, (5) Election of Officers for 1982 Grazing Advisory Board. This meeting is open to the public. Interested persons may make oral statements to the board during the public comment period, or may file written statements. Anyone wishing to make an oral statement must notify the District Manager by February 16, 1982. Minutes will be maintained in the district office and will be available for public inspection and reproduction during regular business hours, within 30 days following the meeting.

John L. Gregg,

District Manager.

[FR Doc. 82-1431 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

[U-48538]

Salt Lake District, Utah; Realty Action-Private Exchange

January 11, 1982.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The following described lands have been determined to be suitable for disposal by exchange under section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716:

SELECTED (PUBLIC LANDS)

Township	Range	Section	Subdivision	Acres
12N	13W	22	W½	320

In exchange for these lands the Federal Government will acquire the following privately-owned land from James R. Keaton.

OFFERED (PRIVATELY-OWNED LAND)

Township	Range	Section	Subdivision	Acres
12N	14W	24	N½	320

The exchange will involve the surface estates only of the above described lands.

DATE: For a period of 45 days (March 8, 1982) interested parties may submit comments to the District Manager, Salt Lake District Office, 2370 South 2300 West, Salt Lake City, UT 84119. Any adverse comments will be evaluated by the District Manager who may vacate or modify this realty action and issue a final determination. In the absence of any adverse action by the District Manager, this realty action will become the final determination of the BLM.

FOR FURTHER INFORMATION CONTACT: Detailed information concerning the exchange including the environmental assessment is available for review at the Salt Lake District, Bureau of Land Management Office, 2370 South 2300 West, Salt Lake City, UT 84119 or call 524-5348 for W. Marie Morris.

SUPPLEMENTARY INFORMATION: The purpose of the exchange is to enhance public land management by the consolidation of public and private land. The exchange has been discussed with Box Elder County officials and is consistent with planning. The value and acreage of the lands are equal. The public interest will be well served by making this exchange.

Lands to be transferred from the United States will be subject to the following reservations, terms, and conditions: All minerals will be reserved to the United States with the right of ingress and egress.

Lands to be acquired by the United States are subject to the following reservations, terms and conditions: The exchange is for the surface estate only and does not include the mineral estate. All gas, oil and mineral rights are vested in third parties.

Frank W. Snell,
District Manager.

[FR Doc. 82-1430 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

[INT DEIS 82-1]

Draft Eastside Salem Timber Management Environmental Impact Statement; Availability

AGENCY: Bureau of Land Management, Interior.

SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Department of Interior has prepared a draft environmental impact statement for the Eastside Salem EIS area. The proposal involves implementing a 10-year timber management plan on public lands in the Clackamas-Molalla and Santiam Sustained Yield Units of the Salem District in western Oregon.

Public reading copies will be available for review at the following locations:

Bureau of Land Management, Office of Public Affairs, 18th and C Streets NW, Washington, D.C. 20240.

Bureau of Land Management, Office of Public Affairs, 729 N.E. Oregon Street, Portland, OR 97208.

Bureau of Land Management, Salem District Office, 1717 Fabry Road SE, Salem, OR 97302.

Oregon State Library, State Library Building, Salem, OR 97310.

Oregon State University Library, Government Document Section, Corvallis, OR 97331.

Portland State University Library, 724 S.W. Morrison, Portland, Oregon 97201.

Mt. Hood Community College Library, 26000 S.E. Stark, Gresham, Oregon 97030.

University of Oregon Library, Government Document Section, Eugene, OR 97403.

Clackamas Community College Library, 19600 S. Molalla, Oregon City, Oregon 97045.

Linn-Benton, Community College Library, Albany, OR 97321.

Chemeketa Community College Library, 4000 Lancaster Dr. NE, Salem, Oregon 97303.

Public Library, 626 2nd, Lebanon, Oregon 97355.

Public Library, 7th & John Adams, Oregon City, Oregon 97045.

Public Library, 1390 SE. Waverly Drive, Albany, Oregon 97321.

Multnomah County Library, 801 SE. 10th, Portland, OR 97205.

Salem Public Library, 585 Liberty SE, Salem, OR 97302.

A limited number of copies are available upon request from the Bureau of Land Management, Oregon State Office, or the Salem District Office, at the above addresses. Informal discussion sessions intended to assist you in reviewing and commenting on the DEIS will be held at 1:00 p.m. and 7:00 p.m., March 2, 1982, at the Bureau of Land Management District Office, 1717 Fabry Road SE, in Salem, Oregon.

Written comments on the DEIS will be accepted by the Salem District Manager until March 23, 1982.

Dated: January 12, 1982.

Philip C. Hamelton,
Chief, Division of Planning and
Environmental Coordination, Oregon State
Office.

[FR Doc. 82-1449 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Lewistown District Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: The Lewistown District Grazing Advisory Board will meet February 11 and 12, 1982. The agenda will be:

February 11

1:00 p.m. Call to order and adoption of previous meeting minutes.

1:15 p.m. Allotment Categorization in Lewistown District

4:00 p.m. Recess.

February 12

8:00 a.m. Allotment Categorization.

8:30 a.m. Election Procedures.

8:45 a.m. Range Improvement

Maintenance.

9:45 a.m. Break.

10:00 Rangeland Monitoring during 1982.

10:30 a.m. 1982 Final Range Improvement Budget.

11:00 a.m. Memorandum of Understanding with Bureau of Reclamation.

11:15 a.m. Rangeland Program Summary: Prairie Potholes EIS.

12:00 noon Adjournment.

Public comment will be sought at the end of each agenda item.

DATES: February 11, 1982, 1:00 p.m. to 4:00 p.m.; February 12, 1982, 8:00 a.m. to 12:00 noon.

ADDRESS: Yogo Inn, 211 E. Main, Lewistown, Montana.

FOR FURTHER INFORMATION CONTACT:

Glenn W. Freeman, District Manager, Bureau of Land Management, Airport Road, Lewistown, Montana 59457.

SUPPLEMENTARY INFORMATION: The Lewistown District Grazing Advisory Board is authorized under Section 403 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1753). The Board advises the Lewistown District Manager concerning the development of allotment management plans and the utilization of range betterment funds.

Dated: January 13, 1982.

Glenn W. Freeman,
District Manager.

[FR Doc. 82-1458 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Richfield District Multiple Use Advisory Council; Cancellation of Meeting

January 14, 1982.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of cancellation of meeting.

SUMMARY: Notice is hereby given that the previously scheduled February 2, 1982 meeting of the Richfield District Multiple Use Advisory Council has been cancelled until further notice. The meeting was scheduled to convene at 10:00 a.m. in the Richfield District Office Conference Room. The meeting will be re-scheduled following Departmental approval of the council member nominations.

FOR FURTHER INFORMATION CONTACT: Public Affairs Officer, Bureau of Land Management, 150 East 900 North, Richfield, Utah 84701.

D. Thomas,

Acting District Manager.

[FR Doc. 82-1462 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

[4112]

Montana and Wyoming; Call for Expression of Leasing Interest in Federal Coal Powder River Production Region

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice.

SUMMARY: This call for expression of coal leasing interest, Phase I, is to integrate potential lessees' data and needs into the coal activity planning phase of the federal coal management program in the Powder River Coal Production Region. The data received from this call will be used along with existing data to delineate tracts which would be considered for possible competitive leasing.

DATE: Responses to this notice may be received until March 15, 1982.

ADDRESS: Responses to this call should be sent to each of the following addresses:

State Director (930), Bureau of Land Management, P.O. Box 1828, Cheyenne, WY 82001
and

District Conservation Management for Resource Evaluation, U.S. Geological Survey, P.O. Box 2373, Casper, WY 82602.

FOR FURTHER INFORMATION CONTACT:

J. Stan McKee, Bureau of Land Management (930), P.O. Box 1828, Cheyenne, WY 82001, (307) 778-2220, extension 2413
and

Paul Arrasmith, District Manager, Casper District, Bureau of Land Management, 951 Rancho Road, Casper, WY 82601 (307) 265-5550, extension 5101.

SUPPLEMENTARY INFORMATION: This is to advise all interested parties that the

official call for expressions of interest in federal coal leasing, Phase I, is now in effect for the second round of coal leasing activity in the Powder River Coal Region for possible lease sales beginning in March 1984. Additional calls for expressions will be made in phases extending through October 1982. The call for Phase II (Recluse Review Area) is anticipated in April-May 1982; Phase III (Thunder Basin National Grasslands) in May-June 1982; Phase IV (Powder River Area, Montana) in September-October 1982. Three of the four areas are BLM planning areas; the fourth (Thunder Basin Grasslands) in U.S. Forest Service planning area. While the total situation and needs of the region should be considered, the responses submitted by March 15, 1982, should be for the Phase I portion only. Areas covered by the call are as follows:

Phase I (February 1982-March 1982), Western Powder River Review Area, Casper District, Wyoming;

Phase II (April-May 1982), Recluse Review Area, Casper District, Wyoming;

Phase III (May-June 1982), Thunder Basin Ranger District, Wyoming;

Phase IV (September-October 1982), Powder River Planning Area, Miles City District, Montana

This call for expressions of interest is the first step in activity planning under the federal coal management program. It is being made before any tract boundaries are delineated within an area found acceptable for further consideration for coal leasing through conducting the coal screening/planning process, including application of the coal unsuitability criteria. The results of this call will provide significant information that will be employed in delineating tracts that might be offered for lease sale after they have been through the tract ranking, selection, scheduling, and analysis processes that are an integral part of the federal coal management program defined in 43 CFR Subpart 3420.

Expressions of interest from small businesses and public bodies are actively invited in accordance with the provisions of 43 CFR 3420.1-4 which states that a reasonable number of lease tracts will be reserved and offered through competitive lease sales to those qualifying under the definitions of public bodies and small coal mining businesses. Entities desiring special leasing opportunities as a public body should state their intentions in their expressions of leasing interest for possible public body set asides. Proof of public body status and evidence of qualifications as required by 43 CFR 3420.1-4(b)(1)(ii) shall be submitted with the expression of interest.

A major purpose of this call for expressions of interest is to integrate potential lessees' data and needs with the process of delineating the logical mining units which will be considered prior to a lease sale. The BLM hopes to gain sufficient information from this call, as well as from its own site specific analyses, to identify areas in which data are of sufficient detail to ultimately make a fair market value determination on specific tracts.

An expression of interest is not an application. The size and/or location of a proposed tract as indicated by an expression of interest may be modified or changed if there is sufficient reason to do so and the coal included in the modified or relocated tracts is of approximately equal quality and tonnage to that shown in the expression of interest.

Examples of the types of concerns that may make such action necessary include: the competitive nature of the tract, access needs, mining efficiency, future coal development potential, resource conservation, state preferences and priorities.

These expressions of leasing interest should include the following data where applicable:

1. Quantity needs (total tonnage, average tons per year, and year during which production should commence) for both coal producers and users.

2. Quality needs (types and grades of coal) for both producers and users.

3. Coal reserve or drilling data that the company may have pertaining to the expression of interest area should be submitted to the U.S. Geological Survey. This request is made based on lack of total coal reserve data by the USGS at this time. Lack of reserve data may eliminate areas for tract delineation.

4. Location:

- a. Tracts desired by mining companies (narrative description with delineation on surface minerals management quad map, available for purchase from the BLM State Office).

- b. Public and private industry user facilities in region.

- c. If no location is indicated, but other specified data are provided, the expression will be considered. In such cases the joint BLM/GS delineation team will locate the tract.

5. Type of mine:

- a. Surface or underground.

- b. Technique of mining (i.e., longwall, room and pillar, strip mining, etc.).

6. Proposed uses of coal:

- a. By mining companies.

- b. By public and private industries.

7. Where coal is consumed (include extra-regional markets).

8. Transportation needs (i.e., railroads, pipelines, etc.):

- a. Existing facilities.
- b. Proposed facilities and development timing.

9. Available sources of coal:

- a. Presently operative.
- b. Contingency of other sources.

10. Information relating to mineral ownership:

- a. Information on surface owner consents previously granted, e.g., a description of the location of the property, whether consents are transferable, etc.
- b. Commitments from fee coal owners or for associated nonfederal coal.

11. Special qualifications for public bodies requesting special leasing opportunities. These specific requirements are listed in 43 CFR 3471.1-5.

Data which are considered proprietary should not be submitted as part of this expression of leasing interest.

An individual, business entity, governmental entity, or public body may participate and submit expressions of leasing interest under this call.

Leslie A. Olver,
Acting District Manager.

[FR Doc. 82-1457 Filed 1-20-82; 8:45 am]
BILLING CODE 4310-84-M

[CA 10493]

Realty Action; Sale of Public Lands in Tuolumne County, Calif.

The following described land has been identified as suitable for disposal by sale under Sec. 203 of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2743; 43 U.S.C. 1713), at no less than the fair market value shown. Legal description: NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 2, T. 2 N., R. 14 E., Mount Diablo Meridian, California, containing 10 acres; appraised value: \$28,000. The public land sale will be held at 10 a.m. on March 31, 1982, at the California State Office of the Bureau of Land Management, in Room E-2811, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825. The land is being offered for sale through competitive bidding. Bids may be made by a principal or a duly qualified agent either by sealed bid mailed or delivered to the California State Office, Bureau of Land Management, at the above address, or by oral bidding at the sale. Federal law requires that individuals be United States citizens and that corporations be subject to the laws of any state or of the United States. Sealed bids shall be considered only if received prior to 10 a.m. on March 31, 1982, and

are made for at least the appraised value of the land. Each sealed bid shall be accompanied by certified check, postal money order, bank draft, or cashier's check made payable to the Bureau of Land Management for not less than one-fifth of the amount of the bid. The sealed envelope must be marked in the lower left hand corner "Public sale bid, serial number CA 10493, sale held March 31, 1982." No bid will be accepted for less than the appraised value, and bids must include all of the land in the parcel. If two or more envelopes are received containing valid bids of the same amount, the determination of which is to be considered the highest bid shall be by drawing. The highest qualifying sealed bid will be publicly declared on the day of the sale, and oral bids will then be invited. After oral bids, if any are received, the highest qualifying bid will be declared by the authorized officer. The person declared to have entered the highest qualifying bid shall submit payment by cash, personal check, bank draft, money order, or any combination, for not less than one-fifth of the amount of the bid immediately following the close of the sale. The successful bidder shall submit the remainder of the full bid price within 30 days of the sale. Failure to submit the full bid price within 30 days shall result in cancellation of the sale, and the deposit shall be forfeited and disposed of as other receipts of the sale. The acceptance or rejection of any offer to purchase shall be in writing within 30 days of the sale date. The sale is consistent with Bureau planning and is compatible with Bureau plans. The land is an isolated parcel completely surrounded by private land, and because of its location is difficult and uneconomic to manage as part of the public lands and is not suitable for management by another Federal department or agency. The public interest would be served by offering this land for sale. The patent, when issued, will contain the following reservations to the United States: (1) A right-of-way for ditches and canals constructed by the authority of the United States (43 U.S.C. 945); and (2) All minerals in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove the minerals under applicable law and such regulations as the Secretary of the Interior may prescribe. Detailed information concerning the sale, including the land report and environmental assessment report is available for review at the California State Office at the above address. On or before March 8, 1982, interested parties may submit comments to the State

Director, California State Office, Bureau of Land Management, E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825. Any adverse comments will be evaluated by the State Director who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become a final determination.

Dated: January 8, 1982.

Joan B. Russell,
Chief, Lands Section, Branch of Lands and Minerals Operations.

[FR Doc. 82-1459 Filed 1-20-82; 8:45 am]
BILLING CODE 4310-84-M

[U-45943]

Realty Action; Land Exchange; Utah; Modification of Notice; Corrections

January 13, 1982.

In the Federal Register for Thursday, December 3, 1981, Vol. 46, No. 232, Book 1, on page 58747 make the following additions and corrections:

On page 58747 the following land description was omitted from the Selected (Public) Land.

T. 6 N., R. 18 W., S.L.M.,
Sec. 22, All—640.0 acres.

To the offered (Privately-Owned) Land should be added the following:

T. 4 N., R. 19 W., S.L.M.,
Sec. 15, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$ —480.0 acres.
Sec. 23, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ —120.0 acres.

The total selected should read—4,880.00 acres; and the total offered should read—4,869.65 acres.

Frank W. Snell,
District Manager.

[FR Doc. 82-1463 Filed 1-20-82; 8:45 am]
BILLING CODE 4310-84-M

Utah; Invitation To Participate in Coal Exploration Program; Royal Land Co.

Royal Land Company is inviting all qualified parties to participate in a program for the exploration of coal reserves on Cowboy Creek near Emery, Utah. The lands are located in Sevier and Sanpete Counties, Utah, and are described as follows:

Township 20 South—Range 4 East, SLM,
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, All;
Sec. 36, All.
Township 21 South—Range 4 East, SLM,
Sec. 1, All;
Sec. 2, E $\frac{1}{2}$;
Sec. 11, E $\frac{1}{2}$;
Sec. 12, All;

Sec. 13, All;
 Sec. 14, E½;
 Sec. 23, E½;
 Sec. 24, All.
 Township 20 South—Range 5 East, SLM.
 Sec. 19, All;
 Sec. 20, All;
 Sec. 27, S½;
 Sec. 28, All;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, All;
 Sec. 33, All;
 Sec. 34, All.
 Township 21 South—Range 5 East, SLM.
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 17, N½;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 30, N½N½.

Containing 16,491.62 Acres, more or less.

Any party electing to participate in this exploration program must send written notice of such election to the Bureau of Land Management, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111, and to Mr. James D. Copen, Staff Geologist, Royal Land Company, 925 S. Niagara, Suite 600, Denver, Colorado 80224. Such written notice must be received on or before February 22, 1982.

Any party wishing to participate in this exploration program must be qualified to hold a lease under the provisions of 43 CFR 3472.1 and must share all cost on a pro rata basis. A copy of the exploration plan, as submitted by Royal Land Company, is available for public review during normal business hours, in the following office, under Serial No. U-50069: Bureau of Land Management, Room 1400, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111.

Robert E. Anderson,
 Chief, Division of Technical Services.
 January 13, 1982.

[FR Doc. 82-1460 Filed 1-20-82; 8:45 am]
 BILLING CODE 4310-84-M

Susanville District Grazing Advisory Board Susanville, California; Meeting

Notice is hereby given in accordance with Pub. L. 94-579 (FLPMA) that a meeting of the Susanville District Grazing Advisory Board will be held on February 24, 1982.

The meeting will begin at 10:00 a.m. in the Susanville District Office of the Bureau of Land Management, 705 Hall Street, Susanville, California.

The agenda for the meeting will include project maintenance, predator

control, sub-committee report for FY 83 projects, FY 84 planning priorities, streamlining AMPs, trespass policy, status of the wild horse program, public comments and other items as appropriate.

The meeting is open to the public. Interested persons may make oral statements to the Board between 3:30 and 4:30 p.m. or file a written statement for the Board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, P.O. Box 1090, Susanville, California 96130, February 9, 1982. Depending on the number of persons wishing to make oral statements, a per person list limit may be established.

Summary minutes of the Board Meeting will be maintained in the District Office and will be available for public inspection and reproduction (during regular business hours) within 30 days following the meeting.

Ben F. Collins,
 Acting District Manager.

[FR Doc. 82-1480 Filed 1-20-82; 8:45 am]
 BILLING CODE 4310-84-M

[Serial Number: A 17000-G]

Arizona; Classification of Public Lands for State Indemnity Selection

1. The Arizona State Land Department has filed a letter of intent to acquire the lands described in paragraph 5 below, under the provisions of the Act of June 20, 1919 (36 Stat. 557), as amended, in Lieu of certain school lands that were encumbered by other rights or reservations before the State's title could attach. This application has been assigned the serial number A 17000-G.

2. The Bureau of Land Management will examine these lands for evidence of prior valid rights or other statutory constraints that would bar transfer. Those lands found suitable for transfer will be held to be classified on March 22, 1982. Classification is pursuant to Title 43 Code of Federal Regulations, Subpart 2400 and Section 7 of the Act of June 28, 1934.

3. Information concerning these lands and the proposed transfer to the State of Arizona may be obtained from the District Manager, Phoenix District Office, Bureau of Land Management, 2929 West Clarendon Avenue, Phoenix, Arizona 85017 (602-241-2854).

4. For a period of 60 days from the date of publication of this notice in the Federal Register, all persons who wish to submit comments on the above classification may present their views in writing for consideration to the Phoenix District Manager, Bureau of Land

Management, 2929 West Clarendon Avenue, Phoenix, Arizona 85017. As provided by Title 43 Code of Federal Regulations, § 2462.1, a public hearing will be scheduled by the District Manager if he determines that sufficient public interest exists to warrant the time and expense of a hearing.

5. The lands included in this classification are located in Maricopa County, Arizona and are described as follows: (footnotes correspond to numbered authorized users or applicants listed in Paragraph 6).

[Application A 17000-G]

Gila and Salt River Meridian, Arizona

T. 6 N., R. 2 E.

Section 4, Lots 1, 2, S½NW¼, SW¼; 1, 2, 3, 10

Section 5, Lots 1, 2, W½ of Lot 3, Lot 4,

S½NE¼, N½SW¼NW¼,

SW¼SW¼NW¼, E½SE¼NW¼,

E½NW¼SE¼NW¼, N½NE¼NE¼,

SW¼, SE¼NE¼NE¼SW¼,

NE¼SE¼NE¼SW¼, S½SE¼NE¼,

SW¼, W½NW¼SW¼,

SE¼NW¼SW¼, SW¼SW¼,

E½SE¼SW¼, W½SW¼SE¼SW¼,

SE¼; 2, 3, 4, 10

Section 8, NE¼, NE¼NE¼NW¼,

W½W½NE¼NW¼, E½SE¼NE¼,

NW¼, W½NW¼, E½NE¼SE¼NW¼,

W½SE¼NW¼, W½SE¼SW¼,

W½SW¼, SE¼; 2, 3, 4, 10

Section 9, W½; 10

Section 16, W½; 9

Section 17, NE¼, E½E½NE¼NW¼,

W½NE¼NW¼, W½NW¼,

W½SE¼NW¼, E½NE¼SE¼NW¼,

NW¼NE¼SW¼, W½SW¼,

W½SE¼SW¼, E½SE¼, E½NW¼SE¼,

E½W½NW¼SE¼, NE¼SW¼SE¼,

E½NW¼SW¼SE¼, S½SW¼SE¼; 4, 9, 11

Section 20, E½NE¼, E½W½NE¼,

NW¼NW¼NE¼, E½SW¼NW¼NE¼,

E½NW¼SW¼NE¼, W½NE¼NW¼,

W½NW¼, SE¼NW¼, SW¼, E½SE¼,

NE¼NW¼SE¼, W½W½NW¼SE¼,

E½SE¼NW¼SE¼, W½SW¼SE¼,

W½SE¼SW¼SE¼; 4, 9, 12

Section 21, W½; 9, 12

Section 29, E½NE¼NE¼, E½W½NE¼,

NE¼, W½NE¼NW¼NE¼,

W½NW¼NE¼, SE¼NW¼NE¼,

SW¼NE¼, E½SE¼NE¼, E½NW¼SE¼,

NE¼, W½, E½NE¼SE¼, W½W½NE¼,

SE¼, W½SE¼, NE¼SE¼SE¼,

W½W½SE¼SE¼, W½E½SW¼,

SE¼SE¼, E½W½SE¼SE¼SE¼,

E½SE¼SE¼SE¼; 4, 5, 6, 9, 13, 14

Section 32, Lots 1, 2, 3, the west ¼ of Lot 4,

E½E½E½NE¼, W½E½NE¼,

W½NE¼, NW¼, N½SW¼,

W½NE¼SE¼, W½SE¼NE¼SE¼,

NW¼SE¼; 4, 9, 15

Total: Approximately 4,750.56 acres.

T. 7 N., R. 2 E.

Section 28, E½, W½NE¼NW¼,

W½NW¼, E½NE¼SE¼NW¼,

W½NW¼SE¼NW¼, SE¼SE¼NW¼,

E½NE¼SW¼, E½W½NE¼SW¼,

N½NW¼SW¼, N½S½NW¼SW¼,

S½SW¼; 3, 6, 10

Section 29, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$,
S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$; 10, 16

Section 32, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$,
NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$; 4, 10, 16

Section 33, All; 1, 2, 3, 4, 10, 17

Section 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$; 1, 2, 7, 8, 10

Total Approximately 2,545.00 acres.

The total acreage described above for Application A 17000-G is approximately 7,295.56 acres.

6. The following listed corporations and individuals are holders of or applicants for leases, permits, and/or rights-of-way on the public lands described in Paragraph 5 above.

Gila and Salt River Meridian

All the lands described above are under Stock Driveway Withdrawal, AR 56, SO 2/4/1919 and SO 11/3/1933 issued in the name of the Bureau of Land Management. All of the lands are also under SO Black Canyon Trails Designation A 2936, 1/3/1969.

TpS. 6 and 7 N., R. 2 E

Rights-of-Way

1. Maricopa County Highway Department, 3325 West Durango Street, Phoenix, AZ 85009; AR 034977, AR 035360A

2. Arizona Department of Transportation, 205 South 17th Avenue, Phoenix, AZ 85007; PHX 083209, AR 031351, AR 035360, A 4484, A 6749, A 9792

3. El Paso Gas Company, P.O. Box 1492, El Paso, TX 79978; AR 010913, AR 035321

4. Mountain States Telephone, Right-of-Way Department, 3033 N. 3rd Street, Room 806-A, Phoenix, AZ 85012; PHX 068718, AR 034537, A 13912

5. U.S. Department of Justice, Federal Bureau of Investigation, 2721 N. Central Avenue, Phoenix, AZ 85004; A 366

6. Arizona Public Service, P.O. Box 21666, Phoenix, AZ 85036; AR 035158, A 998

7. Elwood C. Evans, 2720 W. Redfield, Phoenix, AZ 85023; A 15011

8. Charles Aumiller, 1833 Black Canyon Stage, Phoenix, AZ 85029; A 16126

Grazing Lessees

9. Lockett Ranches, c/o Joe Lockett, 7744 N. 21st Avenue, Phoenix, AZ 85021

10. Vanderwey Ranches, c/o John Vanderwey, 2241 E. Colton Street, Phoenix, AZ 85016

Range Improvements—Cooperative Agreements

11. Joe Lockett: Well, pump, tank; No. 2438

12. Joe Lockett: Fence; No. 0143

13. Joe Lockett: Corral, drinker; No. 2439

14. Joe Lockett: Pipeline; No. 4144

15. Joe Lockett: Pipeline; No. 4143

16. John Vanderwey: Fence; No. 0498

17. John Vanderwey: Storage tank, drinker; No. 4055

7. Rights-of-way granted by BLM will transfer with the land. Oil and gas leases will remain in effect under the terms and conditions of the lease. State law and Land Department procedures (R 12-5-154 D Administrative Rules and Regulations, Arizona State Land Department) provide for the offering to holders of BLM grazing permits the first right to lease lands that are transferred to the State. This constitutes official notice to grazing lessees that their Bureau of Land Management leases will be terminated in part upon transfer of the land to the State of Arizona.

Dated: January 14, 1982.

W. R. Barker,

For the State Director.

[FR Doc. 82-1470 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Geothermal Resources Lease Sale, Clifton, Greenlee County, Arizona Area

Notice is hereby given that approximately 780.00 acres, a single leasing unit in Greenlee County, Arizona, will be offered competitively for lease through sealed bids to the qualified responsible bidder of the highest case amount for the unit. Bids will be received until 10:00 a.m., m.s.t., on March 17, 1982, time and date of sale.

For further information contact the Arizona State Office, Bureau of Land Management, 2400 Valley Bank Center, Phoenix, Arizona 85073 (602) 261-4774.

Dated: January 11, 1982.

Mario L. Lopez,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 82-1471 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Realty Action—Sale CA 6829 Public Lands in Contra Costa County, Calif.

The following described land has been identified as suitable for disposal by sale under Secs. 203 and 209 of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2743; 43 U.S.C. 1713, 1719), at no less than the fair market value shown. Legal description: Lots 9 and 10 in sec. 17, T. 2 N., R. 1 W., Mount Diablo Meridian, California, containing 0.24 acre; value, \$11,205. The sale will not be held until March 22, 1982. The above described lots are within the perimeter of private land the Pacific Gas and Electric

Company (PG&E) has acquired for use as an underground natural gas storage reservoir. The Bureau proposes to sell both the surface and mineral estates directly to the Pacific Gas and Electric Company. The size and shape of the subject parcels of public land make it valuable only for whatever use is proposed by PG&E, the owner of all the adjoining land. Because of the size, shape, and location of these lots, the land is difficult and uneconomic to manage as part of the public lands, and is not suitable for management by another Federal department or agency. The sale is consistent with the Bureau's planning system for the subject land. The public interest would be served by offering this land for sale. The land will be sold subject to a right-of-way for ditches and canals constructed by the authority of the United States (43 U.S.C. 945). Detailed information concerning the sale, including the land report and environmental assessment report, is available for review at the California State Office, Bureau of Land Management, Room E-2841 Federal Office Building, 2800 Cottage Way, Sacramento, California 95825. For a period of 45 days from the date of this notice (March 8, 1982), interested parties may submit comments to the State Director, Bureau of Land Management, at the above address. Any adverse comments will be evaluated by the State director who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become a final determination.

Dated: January 13, 1982.

Joan B. Russell,

Chief, Lands Section, Branch of Lands and Minerals Operations.

[FR Doc. 82-1469 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Frontier Pipeline Project; Announcement of Locations and Times of Public Scoping Meetings

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Announce locations and times of public scoping meetings for the Frontier Pipeline Project, a 20-inch crude oil pipeline from the Anschutz Ranch Field, Uinta County, Wyoming to Casper, Wyoming.

SUPPLEMENTARY INFORMATION: On January 7, 1982, the BLM announced in the Federal Register its intention to prepare an environmental impact statement (EIS) and hold public scoping

meetings for the purpose of identifying issues and concerns for the EIS. This notice provides the locations and times of the public scoping meetings.

DATES: All public scoping meetings will begin at 7:00 p.m. The meetings will be held:

- February 8, 1982, Best Western Dunmar Inn, Highway 30, West Evanston, Wyoming
- February 9, 1982, Holiday Inn, 1675 Sunset, Rock Springs, Wyoming
- February 10, 1982, Jeffrey Memorial Community Center, Third and Spruce Streets, Rawlins, Wyoming
- February 11, 1982, Natrona County Library, Crawford Room, 307 E. Second Street, Casper Wyoming

FOR FURTHER INFORMATION CONTACT:

David J. Walter, District Manager, Rawlins District Office, Bureau of Land Management, P.O. Box 670, Rawlins, Wyoming 82301, (307) 324-7171.

F. William Eikenberry,
Associate State Director.

[FR Doc. 82-1468 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Idaho; Filing of Idaho Revised Protraction Diagrams

January 15, 1982.

Notice is hereby given that effective at and after 10 a.m. on March 2, 1982, the following revised protraction diagrams are officially filed of record in the Idaho State Office, Room 390, Federal Building, Boise, Idaho 83724. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the lands for all authorized uses. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

Idaho Protraction Diagrams

Nos. 81 and 86

No. 81

T. 10 N., Rs. 14, 15, and 16 E.

T. 11 N., R. 15 E.

No. 86

Ts. 8 and 9 N., Rs. 15 and 16 E.

Copies of these diagrams are for sale at two dollars (\$2.00) each by the Branch of Records, Bureau of Land Management, Federal Building Box 042, 550 W. Fort Street, Boise, Idaho, 83724.

Sharron Deroin,
Chief, Branch of Records.

[FR Doc. 82-1466 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

[OR 20183]

Oregon; Proposed Withdrawal and Reservation of Lands; Amendment; Correction

In FR Doc. 81-35998 appearing on page 61513, in the issue of Thursday, December 17, 1981, change the acreage for the proposed withdrawal to read 6,198.60 acres.

Dated: January 14, 1982.

Champ C. Vaughan, Jr.,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 82-1467 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-84-M

Geological Survey

Digital Cartographic and Geographic Data Tape Prices; Product Prices

Notice is hereby given that the prices of digital cartographic and geographic data tapes made by the U.S. Geological Survey are set as follows:

Series by scale	Data type	Price
1:24,000	A. Digital Elevation Model (DEM).	\$250
	B. Digital Line Graph-3 (DLG-3).	
	Land Net	50
	Boundaries	50
	Transportation	100
	Hydrography	100
	Contours	250
	Other (Cultural)	50

	Land use/land cover	Polygon	Grid cell
1:250,000	Land use/land cover.	250	
	Census tracts	75	
	Political boundaries	50	
	Hydrologic units	50	
	Composite		425

Series by scale	Data type	
NA	Geographic Names By State.	100.
1:250,000	Defense Mapping Agency Digital Terrain Data.	\$35 per 1" by 1" block.
1:2,000,000	National Data Base I.	Sectional.
	Boundaries	100.
	Transportation	100.
	Hydrography	100.

In addition, a service charge of \$25 will be added for each tape ordered. This service charge covers the cost of the tape, postage and handling. Prices do not include charges for priority handling or custom reformatting. Information on availability and products may be obtained from the following U.S. Geological Survey offices.

National Headquarters

National Cartographic Information Center, U.S. Geological Survey, 507 National Center, Reston, VA 22092, 703-860-6045, FTS 928-6045.

Eastern Mapping Center

National Cartographic Information Center, U.S. Geological Survey, 536 National Center, Reston, VA 22092, 703-860-6336, FTS 928-6636.

Mid-Continent Mapping Center

National Cartographic Information Center, U.S. Geological Survey, 1400 Independence Road, Rolla, MO 65401, 324-342-0851, ext. 107, FTS 277-0851.

Rocky Mountain Mapping Center

National Cartographic Information Center, U.S. Geological Survey, Box 25046, Stop 504-Federal Center, Denver, CO 80225, 303-234-2326, FTS 234-2326.

Western Mapping Center

National Cartographic Information Center, U.S. Geological Survey, 345 Middlefield Road, Menlo Park, CA 94025, 415-328-8111, ext. 2427, FTS 267-2427.

National Space Technology Laboratories

National Cartographic Information Center, U.S. Geological Survey, Building 3101, NSTL Station, Mississippi 39529, 601-688-3544, FTS 494-3544.

Date: January 13, 1982.

R. B. Southard,

Chief, National Mapping Division U.S. Geological Survey.

[FR Doc. 82-1464 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Chevron U.S.A. Inc.

AGENCY: Geological Survey, Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Chevron U.S.A. Inc., has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 4410, Block 553, West Cameron Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and

that it is available for public review at the Office of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: January 13, 1982.

Lowell G. Hammons,
Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-1486 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; CNG Producing Co.

AGENCY: Geological Survey, Interior.

ACTION: Notice of the receipt of a Proposed Development and Production Plan.

SUMMARY: This Notice announces that CNG Producing Company, Unit Operator of the Ship Shoal Block 271 Federal Unit Agreement No. 14-08-0001-8784, submitted on January 8, 1982, a proposed annual plan of development/production describing the activities it proposes to conduct on the Ship Shoal Block 271 Federal Unit.

The purpose of this Notice is to inform the public, pursuant to section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 N. Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9:00 a.m. to 3:30 p.m., 3301 N. Causeway Blvd.,

Metairie, Louisiana 70002, phone (504) 837-4720, ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in development and production plans available to affected States, executives of affected local governments, and other interested parties became effective on December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: January 14, 1982.

Lowell G. Hammons,
Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-1485 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; SONAT Exploration Co.

AGENCY: Geological Survey, Interior.

ACTION: Notice of the receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that SONAT Exploration Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Leases OCS-G 3545 and 4100, Blocks 232 and 239, East Cameron Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the Office of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13,

1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: January 13, 1982.

Lowell G. Hammons,
Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-1486 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Texoma Production Co.

AGENCY: Geological Survey, Interior.

ACTION: Notice of the receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Texoma Production Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 2626, Block 38, South Timbalier Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the Office of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: January 13, 1982.

Lowell G. Hammons,
Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-1487 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-31-M

National Park Service

National Register of Historic Places; Pending Nominations

Correction

In FR Doc. 82-466, appearing at page 1340, in the issue of Tuesday, January 12, 1982, make the following changes:

On page 1340, in the third column, before the entry reading "OLMSTED PARK AND PARKWAY SYSTEM" add the State heading "NEW YORK".

On page 1341, in the first column, before the entry "Gillespie County" add the State heading "TEXAS".

On page 1341, in the first column, before the entry "Box Elder County" add the State heading "UTAH".

On page 1341, in the first column, before the entry "Door County" add the State heading "WISCONSIN".

BILLING CODE 1505-01-M

Cape Cod National Seashore Advisory Commission; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770 (5 U.S.C. App. 1 10)), that a meeting of the Cape Cod National Seashore Advisory Commission will be held on Friday, February 5, 1982, at the Headquarters Building, Cape Cod National Seashore.

The Commission was established pursuant to Pub. L. 91-383 to meet and consult with the Secretary of the Interior on general policies and specific matters relating to the development of Cape Cod National Seashore.

The members of the Advisory Commission are as follows:

Dexter M. Keezer, Truro
Francis R. King, Wellfleet
Nathan Malchman, Provincetown
Barbara S. Mayo, Provincetown
Joshua A. Nickerson, Chatham
David F. Ryder, Chatham
Sherrill B. Smith, Jr., Orleans
Clifford H. White, Wrentham
Elizabeth F. Worthing, Eastham
Paul F. Nace, Jr., Woods Hole

At the meeting at 1:30 pm the Commission will consider the following: "Analysis of Water Resource Management Alternatives (With Environmental Assessment)".

The meeting is open to the public. It is expected that 50 persons will be able to attend the session in addition to Commission members.

Interested persons may make oral/written presentations to the Commission or file written statements. Such requests should be made to the official listed

below at least seven days prior to the meeting.

Further information concerning this meeting may be obtained from Herbert Olsen, Superintendent, Cape Cod National Seashore, South Wellfleet, Massachusetts 02663, Telephone 617-349-3785. Minutes of the meeting will be available for public information and copying four weeks after the meeting at the Office of the Superintendent, Cape Cod National Seashore, South Wellfleet, Massachusetts.

January 4, 1982.

Herbert Olsen,

Superintendent, Cape Cod National Seashore.

[FR Doc. 82-1479 Filed 1-20-82; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 387 (Sub-No. 83); ICC-BO-C-0013 and ICC-BO-C-0014]

The Baltimore & Ohio Railroad Co., Exemption for Contract Tariffs

AGENCY: Interstate Commerce Commission.

ACTION: Notice of provisional exemption.

SUMMARY: Petitioner is granted a provisional exemption under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e). The contract tariffs to be filed may become effective on one day's notice. This exemption may be revoked if protests are filed within 15 days of publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Donald J. Shaw, Jr., or Jane F. Mackall, (202) 275-7656.

SUPPLEMENTARY INFORMATION: The Baltimore and Ohio Railroad Company (B&O) on its own behalf, and on behalf of the Pittsburgh and Lake Erie Railroad Company (PLE) filed a petition on December 30, 1981, seeking an exemption under 49 U.S.C. 10505 from the statutory notice provisions of 49 U.S.C. 10713(e). It requests that we permit its contract tariffs-ICC-BO-C-0013 and ICC-BO-C-0014 to become effective on one day's notice. The tariffs were filed to become effective on January 29, 1982. The contracts involve the movements of carload shipments of semi-finished iron and steel articles between the shipper and points on the B&O, on the one hand, and points on PLE, on the other.

Under 49 U.S.C. 10713(e), contracts must be filed on not less than 30 days' notice. There is no provision for waiving

this requirement. Cf. former section 10762(d)(1). However, the Commission has granted relief under our section 10505 exemption authority in exceptional situations.

The petition shall be granted. In a supporting statement filed December 31, 1981, the shipper indicates the temporary closing of one of its mills which supplies raw materials to its production facilities. To maintain production and employment, shipper requires immediate transportation of raw materials by petitioner. B&O emphasizes that since the shipper and both contracting carriers are experiencing a significant surplus of rail cars suitable for transporting the involved commodities, advancement of the effective date will maximize equipment utilization. We find that to be the type of exceptional circumstance which warrants a provisional exemption.

B&O's contract tariffs may become effective on one day's notice. We will apply the following conditions which have been imposed in similar exemption proceedings:

If the Commission permits the contracts to become effective on one day's notice, this fact neither shall be construed to mean that these are Commission approved contracts for purposes of 49 U.S.C. 10713(g) nor shall it serve to deprive the Commission of jurisdiction to institute a proceeding on its own initiative or on complaint, to review these contracts and to disapprove them.

Subject to compliance with these conditions, under 49 U.S.C. 10505(a) we find that the 30 day notice requirement in these instances is not necessary to carry out the transportation policy of 49 U.S.C. 10101a and is not needed to protect shippers from abuse of market power. Further, we will consider revoking this exemption under 49 U.S.C. 10105(c) if protests are filed within 15 days of publication in the **Federal Register**.

This action will not significantly affect the quality of the human environment or the conservation of energy resources.

(49 U.S.C. 10505)

Dated: January 15, 1982.

By the Commission, Division 2,
Commissioners Gresham, Gilliam and Taylor.
Commissioner Gilliam was absent and did not participate.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-1482 Filed 1-20-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP3-011]

Republications of Grants of Operating Rights Authority Prior to Certification; Permanent Decision

The following grants of operating rights authorities are republished by order of the Commission to indicate a broaden grant of authority over that previously noticed in the *Federal Register*.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this *Federal Register* notice. Such pleading shall comply with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

MC 109294 (Sub-28) (republication), filed August 13, 1981, published in the *Federal Register* issue of September 1, 1981. Applicant: COMMERCIAL TRUCK CO., LTD., 2120 United Blvd., Coquitlam, British Columbia, CD. Representative: Michael B. Crutcher, 2000 IBM Bldg., Seattle, WA 98101, (206) 623-7580. A Decision of the Commission, Review Board Number 1, decided November 30, 1981, and served December 21, 1981, finds that the performance by applicant of the service described herein will serve a useful public purpose, responsive to a public demand or need to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *general commodities* (except classes A and B explosives, commodities in bulk, and household goods as defined by the Commission), between points in Oregon and Washington and ports of entry on the International Boundary line between the United States and Canada located in ID and MT, on the one hand, and, on the other, points in AZ, AR, CA, CO, FL, GA, ID, IL, IN, IA, KS, KY, LA, MI, MN, MO, MT, NE, NV, NM, NY, NC, ND, OH, OK, OR, PA, SC, SD, TX, UT, WA, WI, and WY; (2) *pipe and fittings*, between points in Sacramento County, CA, and Adams County, CO, on the one hand, and, on the other, points in the United States in and west of MT, WY, CO and NM; that applicant is fit, willing, and

able properly to perform the granted Service and to conform to statutory and administrative requirements. The purpose of this republication is to reflect applicant's actual grant of authority.

MC 140615 (Sub-67) (republication), filed July 7, 1981, published in the *Federal Register* issue July 22, 1981 and September 21, 1981, respectively, and republished this issue. Applicant: DAIRYLAND TRANSPORT, INC., P.O. Box 1116, Wisconsin Rapids, WI 54496. Representative: Dennis C. Brown (same address as applicant), (715) 421-0888. A Decision of the Commission, Review Board Number 3, decided November 23, 1981, and served December 15, 1981, finds that the performance by applicant of the service described herein will serve a useful public purpose, responsive to a public demand or need or need to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *insulation products and plastic and rubber products*, between points in the U.S.; that applicant is fit, willing and able properly to perform the granted service and to conform to statutory and administrative requirements. The purpose of this republication is to reflect applicant's actual grant of authority.

MC 148785 (Sub-4) (republication), filed May 29, 1981, published in the *Federal Register* issue of June 15, 1981, and republished this issue. Applicant: SUDDEN MOVING & STORAGE, INC., d.b.a. SUDDEN TRUCKING COMPANY, 5154 Kennedy Ave., Cincinnati, OH 45213. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215. A Decision of the Commission, Division 2, Acting as an Appellate Division, decided December 16, 1981 and served December 22, 1981, find on reconsideration that the performance by applicant of the service described herein will serve a useful public purpose, responsive to a public demand or need to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *such commodities* as are dealt in or used by manufacturers of household care products and personal care products between points in Kent County, MI, Middlesex County, NJ, Gwinnett County, GA, Orange County, CA, King County, WA, Arapahoe County, CO, Polk, Dallas, and Warren Counties, IA, and Arlington County, TX, on the one hand, and, on the other, points in the United States (except AK and HI); that applicant is fit, willing and able properly to perform the granted service and to conform to statutory and administrative requirements. The

purpose of this republication is to reflect applicant's actual grant of authority.

By the Commission.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-1481 Filed 1-20-82; 8:45 am]

BILLING CODE 7035-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**Music Panel; Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended notice is hereby given that a meeting of the Music Panel (Opera-Musical Theater Section) to the National Endowment for the Arts will be held on January 27-29, 1982, from 9:00 a.m.-6:00 p.m. in room 1422 of the Columbia Plaza Office Complex, 2401 E Street, NW., Washington, D.C. 20506.

A portion of this meeting will be open to the public on Thursday, January 28, from 9:00 a.m.-6:00 p.m. and on Friday, January 29, from 9:00 a.m.-6:00 p.m. to discuss general policy and touring.

The remaining sessions of this meeting on January 27, 1982 from 9:00 a.m.-6:00 p.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the *Federal Register* of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts,
January 18, 1982.

[FR Doc. 82-1440 Filed 1-20-82; 8:45 am]

BILLING CODE 7537-01-M

State Programs Panel; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the State Programs Panel to the National Endowment for the Arts will be held February 11-12, 1982, from 8:30 a.m.-5:00 p.m. in room 1422 of the

Columbia Plaza Office Complex at 2401 E Street NW., Washington, D.C. 20506.

This meeting will be open to the public on a space available basis. The topic for discussion will be policy discussions and guidelines.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts.

January 18, 1982.

[FR Doc. 82-1441 Filed 1-20-82; 8:45 am]

BILLING CODE 7537-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

Report, Recommendations, Responses; Availability

• **Safety Report: Status of Department of Transportation's Hazardous Materials Regulatory Program (NRSB-SR-81-2).**

• **Safety Recommendations to—**
Federal Aviation Administration (Jan. 12) A-81-157 through -160: Re Piper Models PA-24-400, PA-30, and PA-39, issue Airworthiness Directives to inspect fuel selector drain valves for contamination and to install improved-design fuel drain bowls and stiffer drain valve plunger springs, and supplement aircraft flight manuals re fuel drainage procedures to avoid accumulation of water or sediment.

• **Responses from Federal Aviation Administration—**

A-71-68 through -70 (Dec. 30): Considers Beech 55 control locking device safe, modification not warranted; in lieu of rule change to FAR 23.679, has issued Order 8110.24 re certification policy. A-79-48 and -49 (Dec. 30): Has issued AD 79-02-03 requiring placard to specify correct operational sequence; plans no further AD action to require removal of propeller crossfeed system or replacement with accumulator system. A-79-79 (Dec. 30): Finds maintenance alert bulletin on flap separation of Boeing 707's not warranted. A-80-106 (Dec. 30): Aerospatiale Corporation Service Letter 341-87-80 advises Gazelle helicopters SA-341 and SA-342 operators of proper installation procedures for tail rotor control pedals.

A-80-123 (Dec. 30): Rotorcraft Flight Manual (RFM) for Bell Helicopter Textron Models 206A revised to include procedure to drain engine inlet casting drain valve; RFM's for remaining Models 206 being revised to provide for positive expulsion of fluid from drain. A-81-128 through -131 (Dec. 22): Finds installation of independently powered evacuation alarm system in passenger-carrying aircraft is not cost beneficial; will withdraw proposed rulemaking 81-1 re operation of PA systems from independent power source; may add to master minimum equipment lists other system repair

requirements. A-81-153 (Dec. 31): FAA has no authority to direct mandatory revision of Swearingen SA-226 maintenance manual re inadvertent gear collapse when aircraft is being lifted.

Note.—Single copies of reports, recommendation letters and responses are free on written request, identified by number, to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

Margaret L. Fisher,

Federal Register Liaison Officer.

January 18, 1982.

[FR Doc. 82-1476 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-58-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-397]

Availability of the Final Environmental Statement for the WPPSS Nuclear Project No. 2

Notice is hereby given that the Final Environmental Statement (NUREG-0812) related to the operation of the WPPSS Nuclear Project No. 2 by the Washington Public Power Supply System, has been prepared by the Commission's Office of Nuclear Reactor Regulation. The WPPSS Nuclear Project No. 2 is located in Benton County, Washington.

The Final Environmental Statement is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. 20555, and at the Richland Library, Swift and Northgate Streets, Richland, Washington 99352. The Final Environmental Statement is also being made available at the State Clearinghouse, Office of the Governor, Office of the Financial Management, House Office Building, Olympia, Washington 98504 and the Benton-Franklin Governmental Conference, 906 Jadwin Avenue, Richland, Washington 99352.

The notice of availability of the Draft Environmental Statement for the WPPSS Nuclear Project No. 2 which requested comments from interested persons was published in the *Federal Register* on August 13, 1981 (46 FR 40956).

The comments received from Federal, State and local agencies, and interested members of the public have been included as appendices in the final Environmental Statement.

This report is available for inspection or copying for a fee at the NRC Public Document Room, 1717 H Street, NW., Washington, D.C. Copies may be purchased for \$7.50 directly from NRC by sending check or money order, payable to Superintendent of Documents

to Director, Division of Technical Information and Document Control, U.S. NRC, Washington, D.C. 20555. GPO Deposit Account holders may charge their orders by calling (301) 492-9530. Copies are also available for purchase through the National Technical Information Service, Springfield, VA 22161.

Dated at Bethesda, Maryland, this 13th day of January 1982.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Licensing Branch No. 2, Division of Licensing.

[FR Doc. 82-1455 Filed 1-20-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-302]

Florida Power Corporation, et al.; issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) has issued Amendment No. 49 to Facility Operating License No. DPR-72, issued to the Florida Power Corporation, City of Alachua, City of Bushnell, City of Gainesville, City of Kissimmee, City of Leesburg, City of New Smyrna Beach and Utilities Commission, City of New Smyrna Beach, City of Ocala, Orlando Utilities Commission and City of Orlando, Sebring Utilities Commission, Seminole Electric Cooperative, Inc., and the City of Tallahassee (the licensees) which revised the Technical Specifications (TSs) for operation of the Crystal River Unit No. 3 Nuclear Generating Plant (the facility) located in Citrus County, Florida. The amendment is effective as of the date of issuance.

The amendment revises the inspection interval for hydraulic snubbers inside the reactor building to 12 months $\pm$ 25% for the first inspection following the 1981 refueling outage.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact

statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated November 17, 1981, (2) Amendment No. 49 to License No. DPR-72, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., and at the Crystal River Public Library, 668 N.W. First Avenue, Crystal River, Florida. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 7th day of January 1982.

For the Nuclear Regulatory Commission,
John F. Stolz,
*Chief, Operating Reactors Branch #4,
Division of Licensing.*

[FR Doc. 82-1453 Filed 1-20-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-309]

Maine Yankee Atomic Power Co.; Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) has issued Amendment No. 60 to Facility Operating License No. DPR-36, issued to Maine Yankee Atomic Power Company, which revised Technical Specifications for operation of the Maine Yankee Atomic Power Station (the facility) located in Lincoln County, Maine.

The amendment was authorized by telephone on December 24, 1981 and was confirmed by letter dated December 28, 1981. The amendment authorizes the isolation of the minimum flow recirculation line for safeguards pumps for a period of not more than six hours on December 24, 1981 only. The amendment was issued on an expedited basis to permit the licensee to repair a leaking isolation valve.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate finding as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required

since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of the amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of the amendment.

For further details with respect to the action, see (1) the application for amendment dated December 24, 1981, (2) the Commission's letter to the licensee dated December 28, 1981, (3) Amendment No. 60 to License No. DPR-36 and (4) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Wiscasset Public Library Association, High Street, Wiscasset, Maine. A copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 7th day of January 1982.

For the Nuclear Regulatory Commission,
Robert A. Clark,
*Chief, Operating Reactors Branch #3,
Division of Licensing.*

[FR Doc. 82-1434 Filed 1-20-82; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 18422; (SR-MSRB-81-16)]

Municipal Securities Rulemaking Board; Application

January 13, 1982.

In the matter of Municipal Securities Rulemaking Board, Suite 507, 1150 Connecticut Avenue, NW., Washington, D.C. 20036, order approving amended proposed rule change.

The Municipal Securities Rulemaking Board (the "MSRB"), submitted on October 23, 1981, copies of a proposed rule change pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) (the "Act") and Rule 19b-4 there under, copies of a proposed rule change to amend MSRB rule G-12 concerning uniform practice and rule G-15 concerning customer confirmations. The proposed rule change would provide that an inter-dealer or customer confirmation with respect to a transaction in municipal securities traded on a discounted basis would not

be required to include certain information with respect to yield or accrued interest, but instead must contain the rate of discount and resulting dollar price.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by the issuance of a Commission Release (Securities Exchange Act Release No. 18230 (November 2, 1981)) and by publication in the Federal Register, 46 FR 55581 (November 10, 1981). No comments were received with respect to the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the Municipal Securities Rulemaking Board, and in particular, the requirements of Section 15B and the rules and regulations thereunder.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Shirley E. Hollis,
Assistant Secretary.

[FR Doc. 82-1507 Filed 1-20-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 18421; (SR-MSRB-81-17)]

Municipal Securities Rulemaking Board; Application

January 13, 1982.

In the matter of Municipal Securities Rulemaking Board, Suite 507, 1150 Connecticut Avenue, NW., Washington, D.C. 20036, order approving proposed rule change.

The Municipal Securities Rulemaking Board ("MSRB"), submitted on October 23, 1981, copies of a proposed rule change pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b-4 thereunder, to amend MSRB rule G-12 concerning uniform practice. Among other matters, rule G-12 specifies that a delivery of securities must be accepted when there is a difference between the contract moneys shown by the selling dealer and those known by the purchasing dealer, if such difference does not exceed the applicable amount set forth in the schedule contained therein. Rule G-12 stipulates that the calculations of the seller are to be used in determining the maximum permissible difference and amount of payment to be made on delivery. Parties to the transaction must

then reconcile any money difference within ten business days following the settlement date. Under the proposed rule change, the calculations of the party using the "direct pricing" method established under MSRB rule G-33 would be deemed accurate to reconcile a minor money difference, if such difference were due to the use of different computational methods by the two parties.¹

Many of the minor money differences on municipal securities transactions are the result of use by the two parties to the transaction of different computational methods, particularly use by one party of the direct pricing method and use by the other party of the "interpolation" method to compute the dollar price of municipal securities. MSRB rule G-33 prescribes direct pricing for computing the dollar price of certain municipal securities but permits use of interpolation until January 1, 1984. Accordingly, because direct pricing is considered the more accurate computational method, the proposed rule change will facilitate transactions in municipal securities by ensuring equitable resolution of minor money differences.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by the issuance of a Commission Release (Securities Exchange Act Release No. 18233, (November 3, 1981)) and by publication in the *Federal Register*, 46 FR 55583 (November 10, 1981). No comments were received with respect to the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the MSRB and, in particular, the requirements of Section 15B and the rules and regulations thereunder.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

Shirley E. Hollis,
Assistant Secretary.

[FR Doc. 82-1505 Filed 1-20-82; 8:45 am]

BILLING CODE 8010-01-M

¹MSRB rule G-33 was approved by the Commission in Securities Exchange Act Release No. 18313 (December 7, 1981).

[Release No. 12160; 812-4895]

Security Benefit Life Insurance Co. et al.; Application

January 12, 1982.

In the matter of Security Benefit Life Insurance Company, SBL Variable Annuity Account III, and SBL Planning, Inc., 700 Harrison Avenue, Topeka, Kansas 66636 (812-4895).

Notice is hereby given that Security Benefit Life Insurance Company ("SBL"), SBL Variable Annuity Account III ("Account III"), and SBL Planning, Inc. ("Planning") (together, "Applicants"), filed an application on June 15, 1981, and amendments thereto on September 14, 1981, October 21, 1981, December 30, 1981 and January 11, 1982, for an order of the Commission pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") exempting Applicants, to the extent requested, from Sections 2(a)(32), 2(a)(35), 22(c), 26(a), 26(a)(2), 27(c)(1), 27(c)(2), and 27(d) of the Act, and Rule 22c-1 thereunder and, pursuant to Section 11 of the Act, approving certain offers of exchange. SBL is a mutual life insurance company organized under the laws of Kansas. Account III, a segregated account of SML which is registered under the Act as a unit investment trust, was established to act as a funding entity for individual variable annuity contracts ("Contracts") to be issued by SBL. SBL is the depositor of Account II and Planning, the distributor and principal underwriter of the Contracts. All interested persons are referred to the application, as amended, on file with the Commission, for a statement of the representations made therein which are summarized below.

The Contracts include single payment Contracts with annuity payments commencing immediately or commencing at a future date and flexible installment payment Contracts with annuity payments commencing at a future date. At the time purchase payments are received, SBL deducts any applicable premium tax and, in the case of single payment immediate Contracts, an administrative fee of \$100. The net amount will be allocated to one or more of three series of Account III, each of which will be invested in one series of SBL Fund, Inc., a registered open-end diversified investment company of the series type ("Fund"), as designated by the contractowner. There is a minimum allocation to any one series within Account III of \$25. A contractowner may change such allocation instructions; however, an allocation fee of \$10 will be imposed for each change made in excess of one per contract year. A

contractowner will also be permitted to transfer his account within Account III to other series within Account III. Not more than one transfer will be permitted in a 30-day period. The first transfer in each Contract year may be made without charge. Each additional transfer is assessed a \$10 transfer fee. SBL may suspend the right of transfer. The Contracts will be offered without the imposition of a sales charge deduction at the time of sale. However, the Contracts contain a provision which imposes a contingent deferred sales charge in the event there is a partial or complete redemption during the first eight years of the Contract. The contingent deferred sales charge is imposed as follows: the adjusted withdrawal amount is determined as the requested withdrawal amount less any free withdrawal right; the unassessed payments is determined as the sum of all stipulated payments which have not had a contingent deferred sales charge assessed against them; if (a) the adjusted withdrawal amount is equal to or greater than the unassessed payments, the contingent deferred sales charge is equal to the unassessed payments times the applicable following tabular withdrawal percentage on the withdrawal date; if (b) the adjusted withdrawal amount is less than the unassessed payments, the contingent deferred sales charge is equal to the adjusted withdrawal amount times the applicable following tabular withdrawal percentage on the withdrawal date.

Contract year of withdrawal	Tabular withdrawal percent
1	8
2	7
3	6
4	5
5	4
6	3
7	2
8	1
9 and after	0

The contractowner receives one free withdrawal per contract year after the first contract year, which is equal to 8% of the account value at the date of the first withdrawal in that year. Any portion of the free withdrawal right which is not applied to the first withdrawal in the contract year is forfeited. The contingent deferred sales charge will not be deducted (a) from the value of the Contract paid as a death benefit, (b) against annuity payments under annuity options that have life contingency payments, (c) against early annuitization or (d) against transfers of account values to one or more series

within Account III. Applicants state that the contingent deferred sales load will not exceed 9% of payments made by a contractowner.

Single payment deferred and installment payment Contracts are subject to an annual administrative fee of \$30 per contract year which is deducted from the contract value at the end of each year and a pro rata portion of that fee at the time of full withdrawal. Single payment immediate Contracts provide for a \$100 administrative fee as noted above. Under the Contracts, SBL has assumed the risks that actual expenses incurred by SBL in connection with the Contracts may exceed the expense charges provided for in the Contracts and that persons receiving annuity payments may live longer than expected. SBL also assumes the risk that the death benefit paid in the event a contractholder dies prior to the maturity of his Contract will exceed the account value. In exchange for assuming these risks, the Contracts provide for a deduction of an actuarial risk fee assessed daily and deducted at calendar year end. The actuarial risk fee is deducted from the contractowner's account upon (a) annuitization, (b) each total withdrawal from a variable account, (c) each calendar year end and (d) transfer from one variable account to another. The actuarial risk fee is as follows:

Where asset value is		Actuarial risk fee (per cent)	Risk components		
At least	But less than		Mortality (per cent)	Death benefit (per cent)	Expense (per cent)
	\$20,000	1.20	.6	.1	.5
\$20,000	\$50,000	1.0	.6	.1	.3
\$50,000 or more		.85	.6	.1	.15

Applicants state that to the extent SBL realizes a gain from actuarial risk fees, such gain will inure to the benefit of SBL's general account and will be used by SBL to pay its general costs and expenses. Applicants further state that sales expenses actually incurred by SBL may not be covered by the contingent deferred sales charges. If not so covered, then such sales expenses will be paid from the general funds of SBL. Applicants acknowledge, therefore, that the actuarial risk fee might be used indirectly for sales and distribution expenses.

The actuarial risk fee, annual administrative fee, transfer fee and allocation fee will be deducted from portions of the contractowner's account value sequentially, from the account value represented by Series C first, next from Series B, and next from Series A.

SBL also deducts premium taxes where applicable.

Approval Under Section 11

Section 11(a) of the Act makes it unlawful for any registered open-end investment company or any principal underwriter for such a company to make or cause to be made an offer to the holder of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged, unless the terms of the offer have first been submitted to and approved by the Commission. Section 11(c) provides that, irrespective of the basis of exchange, the provisions of (a) shall be applicable to any offer of exchange of any security of a registered open-end company for a security of a registered unit investment trust and to any type of offer of exchange of the securities of registered unit investment trusts for the securities of any other investment company.

As described above, the purchaser of a Contract will have the right to exchange that part of the value of his Contract which represents an interest in shares of one series of the Fund for an interest in shares of either of the other Fund series at net asset value. A transfer fee of \$10 may be imposed and the actuarial risk fee that has accrued daily against the contractowner's account will be charged at the time a transfer is made. In order to avoid any question, Applicants request that the Commission issue a Section 11 order—to the extent one is deemed necessary—in order that a contractowner may exchange all or part of his contract value allocated to shares of one or more series of the Fund for shares of one or more other series of the Fund without any deductions being made, other than the transfer and actuarial risk fees described above, if applicable.

Relief for Contingent Deferred Sales Charge

Section 2(a)(35) of the Act defines "sales load" as the difference between the price of a security to the public and that portion of the proceeds from its sale which is received and invested, less any portion of such difference deducted for trustee's or custodian's fees, insurance premiums, issue taxes, or administrative expenses or fees which are not properly chargeable to sale or promotional activities. On the grounds stated in the application, Applicants request an exemption from Section 2(a)(35) to permit the transactions described therein.

Rule 22c-1, promulgated under Section 22(c) of the Act, in pertinent part, prohibits a registered investment company issuing a redeemable security from selling, redeeming or repurchasing any such security except at a price based on the current net asset value of such security. In order to expedite this matter, Applicants request an exemption from Section 22(c) and Rule 22c-1, to the extent deemed necessary, to permit the transactions described in the application.

Section 27(c)(2) of the Act provides, in substance, that the issuer of a periodic payment plan certificate and a depositor or underwriter for such an issuer are prohibited from selling any such certificates unless, among other things, the proceeds of all payments, other than the sales load, on the certificates are deposited with a trustee or custodian having the qualifications prescribed in Section 26(a)(1) and are held by such trustee or custodian under an agreement containing, in substance, the trust indenture provisions required by Sections 26(a)(2) and 26(a)(3) of the Act. Section 26(a)(2)(C) of the Act provides that no payment to the depositor of, or principal underwriter for, a registered unit investment trust (or to any affiliated person or agent of such depositor or principal underwriter) shall be allowed the trustee or custodian as an expense except for payment of a fee, not exceeding such reasonable amount as the Commission may prescribe, as compensation for performing bookkeeping and other administrative services of a character normally performed by the trustee or custodian. Applicants request an exemption from the provisions of Sections 26(a)(2)(C) and 27(c)(2) of the Act, to the extent necessary, in order to permit the offer and sale of the Contracts subject to the contingent deferred sales charge as described above.

Section 27(c)(1) of the Act, in pertinent part, makes it unlawful for any registered investment company issuing periodic payment plan certificates, or for any depositor or underwriter of such company, to sell any such certificate unless it is a redeemable security. On the grounds stated in the application, Applicants request an exemption from Section 27(c)(1).

Section 27(d) of the Act, in substance, requires that the holder of a periodic payment plan certificate be able to surrender his certificate within a specified time and receive the value of his account and the return of sales charges in excess of a certain percentage. Section 2(a)(32) of the Act, in substance, defines a redeemable

security as a security under the terms of which the holder is entitled to receive approximately his proportionate share of the issuer's current net assets, or the cash equivalent thereof. Applicants request an exemption from Sections 27(d) and 2(a)(32), to the extent deemed necessary, to permit imposition of the contingent deferred sales charge.

Relief for Performance of Custodial Functions

Section 27(c)(2) prohibits a registered investment company or a depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than the sales load, are deposited with a bank as trustee or custodian having the qualifications prescribed in Section 26(a)(1) and held under an indenture or agreement containing, in substance, the provisions required by Sections 26(a)(2) and (3) for a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the unit investment trust and places certain restrictions on charges which may be made against the trust income and corpus. Applicants request an exemption from the provisions of Sections 26(a) and 27(c)(2) of the Act in order that SBL may act as custodian of the assets of Account III performing the functions normally performed by a custodian; that the share certificates of the Fund may be issued an open account arrangement without the use of stock certificates; and that the property and assets of Account III while segregated do not have to be held in trust.

Relief for Payment of Contract Fees and Charges

Sections 26(a) and 27(c)(2), as here pertinent, provide in substance that a registered unit investment trust and any depositor or underwriter for such trust are prohibited from selling periodic payment plan certificates unless the proceeds of all payments, other than amounts deducted for sales load, are deposited with a qualified bank as trustee or custodian. Section 26(a)(2)(D) provides that the custodian have possession of all securities and other property in which the funds of the trust are invested subject only to the charges and collections allowed under clauses (A), (B) and (C) of Section 26(a)(2) until distribution thereof to the security holders of the trust. As pertinent here, Section 26(a)(2)(C), provides, in substance, that no payment to the depositor or principal underwriter of a unit investment trust shall be allowed the custodian bank as an expense,

except a fee, not exceeding such reasonable amounts as the Commission may prescribe, as compensation for performing bookkeeping and other administrative services normally performed by the custodian.

SBL requests that the Commission enter an order exempting SBL from the provisions of Sections 26(a)(2) and 27(c)(2) of the Act to the extent necessary to permit the deductions of (1) the annual administrative fee on single payment deferred and installment Contracts; (2) the \$100 administrative fee on single payment immediate Contracts; (3) the fee for providing mortality, death benefit and expense risk undertakings; (4) the allocation and transfer fees; and (5) depending on the requirements of the particular state, either (a) to permit the deduction from purchase payments when made and payment of applicable annuity premium taxes to such state by SBL or (b) to permit the deduction of such taxes by SBL from the contract values and the payment of such taxes to such state at the time when an annuity is effected. Applicants consent that the foregoing requested exemptions from Sections 26(a) and 27(c)(2) may be made subject to the following conditions: (1) That the deductions under the Contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe and the Commission may reserve jurisdiction for such purpose; and (2) that the payment of sums and charges out of the assets of VAA III shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that the Applicants' consent to this condition shall not be determined to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets, other than the charges for administrative services, and the Applicants reserve the right in any proceeding before the Commission, or in any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges.

Relief for Annual Administrative Fee and Actuarial Risk Fee Deductions

As noted above, the annual administrative fee and actuarial risk fee may be deducted at the time of a complete withdrawal. Thus, the contractowner may be deemed not to have received his proportionate share of the net asset value of his account. In order to expedite the transactions contemplated in connection with Account III, Applicants request that the Commission enter an order exempting

Applicants, to the extent necessary, from Sections 2(a)(32), 22(c), 27(c)(1) and 27(d) and Rule 22c-1 to permit the charging of the annual administrative fee and actuarial risk fee upon complete withdrawal of a contract in the manner described.

Section 6(c) authorizes the Commission to exempt any person, security or transaction or any class or classes of persons, securities or transactions, from the provisions of the Act and rules promulgated thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicants contend that the requested exemptions are necessary and appropriate in the public interest and consistent with the protection of investors and purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 5, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued, as of course, following February 5, 1982, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-1508 Filed 1-20-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12158; 812-4941]

**Shearson FMA Municipal Fund;
Application**

January 12, 1982.

In the matter of Shearson FMA Municipal Fund, Two World Trade Center, New York, New York 10048 (812-4941).

Notice is hereby given that Shearson FMA Municipal Fund ("Applicant"), an open-end, diversified, management company registered under the Investment Company Act of 1940 ("Act"), filed an application on August 11, 1981, an amendment thereto on January 6, 1982, and a supplementary letter thereto on January 7, 1982, which will be submitted as an amendment during the notice period, requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder, to the extent necessary to permit Applicant to value its assets using the amortized cost method of valuation. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it was organized as a Massachusetts business trust on July 24, 1981, and registered under the Act on July 31, 1981. Applicant further states that its investment adviser is Shearson/American Express Asset Management Inc. ("Adviser"), a wholly-owned subsidiary of Shearson/American Express Inc. ("Shearson"), and that The Boston Company Advisors, Inc. ("Boston"), an indirect wholly-owned subsidiary of Shearson, will act as subadviser and administrator for Applicant. According to the application, shares of the Applicant will be offered only in connection with a financial Management Account Program ("Management Account"). Applicant states that a Management Account will be a financial services account linking (1) a conventional securities margin account ("Securities Account"); (2) participation in one of three "money market" funds, one of which is the Applicant; (3) an American Express Gold Card ("Gold Card") provided by American Express Company; and (4) a checking privilege on an account maintained by Provident National Bank. According to the application, any cash in a Management Account participant's Securities Account not arising from a loan and thus transferable without giving rise to interest charges will be automatically invested in whichever

"money market" fund the participant selects pending utilization of such monies in the Securities Account, through the Gold Card, or through the checking privilege.

Applicant represents that its investment objective is to maximize current income to the extent consistent with preservation of capital and the maintenance of liquidity by investing primarily, but not exclusively, in securities the income from which is exempt from federal income taxation. Applicant states that it will invest in various municipal obligations having a maturity of one year or less at the date of purchase, are of "high quality" as determined by a major rating service or, if not rated, are of comparable quality as determined by its board of trustees. Applicant further states that it may invest more than 20 percent of its total assets in taxable obligations during periods of abnormal market conditions, when it might be advantageous to its shareholders because market conditions dictate a defensive posture in taxable obligations. Among the taxable securities in which Applicant may invest are: (1) Obligations of the United States Government, its agencies, instrumentalities or authorities; (2) prime commercial paper; and (3) certificates of deposit of, or time deposits of seven days or less in, banks with assets of \$1 billion or more including domestic banks, foreign banks, foreign branches of domestic banks, domestic branches of foreign banks and savings and loan and similar associations. Applicant may also enter into repurchase agreements with respect to its portfolio securities, but that any repurchase agreements maturing in more than seven days including any other illiquid assets are limited to 10% of Applicant's total assets. Applicant further states that it may purchase securities together with the right to resell them back to the seller at an agreed-upon price or yield prior to the maturity date of such securities ("Stand-by Commitments"). Applicant intends to enter into Stand-by Commitments solely with commercial banks and for the purpose of maintaining flexibility and liquidity to meet unanticipated redemptions. Applicant represents that the duration of the Stand-by Commitments will not exceed 60 days, will not be a factor in determining the dollar-weighted average portfolio maturity, will not affect the maturity of any specific portfolio security and will be valued at zero.

As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market

quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by an investment company's board of directors.

Rule 22c-1 provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or to sell such security.

Rule 2a-4 provides, as here relevant, that the current net asset value of a redeemable security issued by a registered investment company used in computing its price for the purpose of distribution, redemption and repurchase shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a-4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and that other securities and assets shall be valued at fair value as determined in good faith by an investment company's board of directors. Prior to the filing of the application, the Commission expressed its view that, among other things, Rule 2a-4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and it would be inconsistent generally with the provisions of Rule 2a-4 for a "money market" fund to value its portfolio instruments with over 60-day maturities on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977).

Applicant requests an exemption from the provisions of Section 2(a)(41) of the Act, and Rules 2a-4 and 22c-1 thereunder, to the extent necessary to permit it to value its portfolio securities using the amortized cost method of valuation. In support of its request, Applicant represents that its board of trustees has determined that, absent unusual or extraordinary circumstances, amortized cost value represents fair value of its portfolio securities and that the amortized cost method of valuation is preferable and appropriate for the Applicant. Applicant states that valuation of its assets on the amortized cost basis enables the maintenance of a stable price per share while at the same time allowing a steady flow of

investment income demanded by investors. In addition, Applicant states that given the nature of its policies and expected operations, there will normally be a relatively negligible discrepancy between the market value and the amortized cost value of securities held in the Applicant's portfolio.

Section 6(c) of the Act provides, in part, that upon application the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant asserts that its application meets the standards of Section 6(c) of the Act in light of its management policies, and consents to the imposition of the following conditions to any order granting the requested relief:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to Applicant's investment adviser, the board of trustees of Applicant undertakes—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabilize Applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase, at \$1.00 per share.

2. Included within the procedures to be adopted by the board of trustees of the Applicant shall be the following:

(a) Review by the board of trustees, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from the \$1.00 amortized cost price per share, and the maintenance of records of such review.¹

(b) In the event such deviation from the \$1.00 amortized cost price per share

exceed ½ of 1 percent, a requirement that the board of trustees will promptly consider what action, if any, should be initiated by it.

(c) Where the board of trustees believes the extent of any deviation from the \$1.00 amortized cost price per share may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include: redeeming shares in kind; selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten the average maturity of portfolio instruments; withholding dividends; or utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share; provided, however, that Applicant will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity which exceeds 120 days.²

4. Applicant will record, maintain, and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in paragraph 1 above, and will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of its board of its board of trustees' considerations and actions taken in connection with the discharge of their responsibilities, as set forth above, to be included in the minutes of the boards of trustees' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) if the Act, as of such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, to those United States dollar-denominated instruments which its board of trustees determines present minimal credit risks, and which are of "highly quality" as determined by any major rating service or, in the case of

any instrument that is not rated, of comparable quality as determined by its board of trustees.

6. Applicant will include in each of its quarterly reports, as an attachment to Form N-1Q, a statement as to whether any action pursuant to paragraph 2(c) above was taken during the preceding fiscal quarter and, if any such action was taken, will describe the nature and circumstances of such action.

Notice is further given that any interested person may, not later than February 4, 1982, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his or her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he or she may request that he or she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Shirley E. Hollis,
Assistant Secretary.

[FR Doc. 82-1306 Filed 1-20-82; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[SBLC No. 09/B-0028]

AID America, Inc.; Filing of Application for Eligibility Determination as a Small Business Lending Company

An Application for Eligibility Determination as a Small Business Lending Company has been filed by AID America, Inc., (Applicant), 19782 MacArthur Boulevard, Irvine, California 92715, with the Small Business

¹To fulfill this condition, Applicant intends to use actual quotations or estimates of market value reflecting current market conditions chosen by its board of trustees in the exercise of its discretion to be appropriate indicators of value which may include, *inter alia*, (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to classes of money market instruments published by reputable sources.

²In fulfilling this condition, if the disposition of a portfolio security results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

Administration pursuant to § 120.4(b) of the SBA Regulations (13 CFR 120.4(b)), promulgated under the Small Business Act. As a Small Business Lending Company (SBLC), under Subsection (b) mentioned above, the Applicant will be engaged solely in the making of loans to small business concerns, in participation with SBA, and in accordance with applicable SBA Regulations. It will be subject to supervision and examination by the SBA.

The Applicant is incorporated under the laws of the State of California and will commence operation with minimum capitalization of \$1,000,000. The Applicant intends to initially concentrate its operations in the State of California and the western portion of the United States. It intends to sell in the Secondary Market the SBA's guaranteed portion of loans made to small business concerns.

The Officers and Directors of the Applicant are:

Name	Title
Robert Gordon Wolff, 2311 Poinsettia Court, Pembroke Pines, Florida 33866.	Director, President.
Rose Pannullo, 288 Lexington Avenue, New York, New York 12452.	Director.
John Lawrence Reilly, 12 Princeton Drive, Englishtown, New Jersey 07726.	Director, Secretary and Chief, Financial Officer.

AID America, Inc. is wholly owned by American Investors Diversified Corporation, Two Penn Plaza, New York, New York, which is a subsidiary of American Savings Bank, 333 Broadway, New York, New York.

Matters involved in SBA's consideration of the Application include the general business reputation and character of management, and the probability of successful operation of the corporation under their management, including adequate profitability and financial soundness, in accordance with the Small Business Act and the Regulations promulgated thereunder.

Notice is hereby given that all interested parties may, not later than February 5, 1982, submit to SBA written comments on the proposed Applicant and/or its management. Any such communication should be addressed to: Wayne S. Foren, Director, Office of Lender Relations and Certification, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in Irvine, California, as well as in the four (4) regional additions of the Wall Street Journal.

(Catalogue of Federal Domestic Assistance Program No. 59.012 Small Business Loans)

Dated: January 8, 1982.

Edwin T. Holloway,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 82-1511 Filed 1-20-82; 8:45 am]

BILLING CODE 8025-01-M

[SBLC No. 02/B-0015]

AFL Business Funding, Inc.; Filing of Application for Eligibility Determination as a Small Business Lending Company

An Application for Eligibility Determination as a Small Business Lending Company has been filed by AFL Business Funding, Inc. (Applicant), 160 Summit Avenue, Montvale, New Jersey 07645, with the Small Business Administration pursuant to § 120.4(b) of SBA Regulations (13 CFR 120.4(b)), promulgated under the Small Business Act.

As a Small Business Lending Company (SBLC), under Subsection (b) mentioned above, the Applicant will be engaged solely in the making of loans to small business concerns in participation with SBA, and in accordance with applicable SBA Regulations. The Applicant will be subject to supervision and examination by the SBA.

The Applicant is incorporated under the laws of the State of New Jersey, and will commence operations with an initial capitalization of \$500,000. The Applicant intends to initially conduct its operations in the State of New York, California, Florida and New Jersey and eventually operate on a nationwide basis.

American Funding Limited, a Limited Partnership of the State of New Jersey, will own 100 percent of the issued stock of the Applicant. The sole General Partner of American Funding Limited is Southern California Funding, Inc., a California Corporation authorized to do business in the State of New Jersey. The sole Limited Partner of American Funding Limited is Genstar Pacific Financial Corporation. Genstar Pacific Financial Corporation is wholly owned by Genstar Mortgage Corporation which in turn is wholly owned by Genstar Limited, a publicly held corporation listed on the New York Stock Exchange.

The persons owning 10 percent (10%) or more of the outstanding shares of Southern California Funding, Inc., the General Partner of the Applicant, are as follows:

Jay Botchman, 640 Riversville Road, Greenwich, Connecticut 06830

William F. Dacey, 20 Nottingham Court, Montvale, New Jersey 07645

The Officers and Directors of the Applicant are:

Name and Title

Jay Botchman, 640 Riversville Road, Greenwich, Connecticut 06830; Chairman of the Board of Directors, Treasurer and Asst. Secretary
William F. Dacey, 20 Nottingham Court, Montvale, New Jersey 07645; President, Asst. Secretary and Director
Thomas P. Dacey, 4111 Blackfin Avenue, Irvine, California 92715; Executive Vice President, Secretary and Director
Robert Germano, 130 Ridge Avenue, Park Ridge, New Jersey 07656; Vice President and Director.

Matters involved in SBA's consideration of the application include the general business reputation and character of management, and the probability of successful operation of the company under their management, including adequate profitability and financial soundness, in accordance with the Small Business Act and Regulations promulgated thereunder.

Notice is hereby given that all interested parties may, not later than February 5, 1982, submit to SBA written comments on the proposed Applicant and/or its management. Any such communication should be addressed to: Wayne S. Foren, Director, Office of Lender Relations & Certification, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in Montvale, New Jersey, as well as in the four (4) regional editions of *The Wall Street Journal*.

(Catalog of Federal Domestic Assistance Program No. 59.012 Small Business Loans)

Dated: January 8, 1982.

Edwin T. Holloway,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 82-1510 Filed 1-20-82; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0161]

Foothill Venture Corp.; Filing of Application for Transfer of Control of a Licensed Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the Regulations governing small business investment companies (13 CFR 107.701(1981)), to

transfer control of Foothill Venture Corporation (Venture), 2049 Century Park East, Los Angeles, California 90067, a Federal Licensee under the Small Business Investment Act of 1958, as amended (Act).

Venture was licensed on September 28, 1972, and has private capital of \$655,000. The proposed transfer of control will be from The Foothill Group, Inc. (Foothill) sole stockholder of Venture, to Frederick K. Bae and Won Hoe Kim who will purchase the licensee's stock.

The proposed officers, directors and stockholders will be:

Frederick K. Bae, 9827 Canby Avenue, North Ridge, California 91325; President and Director; 50%
 Won Hoe Kim, 33785 Shackleton Isle, Laguna Niguel, California 92677; Vice President and Director; 50%
 Ruth Bae, 9827 Canby Avenue, North Ridge, California 91325; Secretary and Director

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the company under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act of 1958, as amended, and the SBA Rules and Regulations.

Notice is hereby given that any person may not later than February 5, 1982, submit to SBA, in writing, comments on the proposed licensing of this company. Any such communications should be addressed to: Acting Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this notice will be published in a newspaper of general circulation in Los Angeles, California.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: January 15, 1982.

Robert G. Lineberry,
Acting Deputy Associate Administrator for Investment.

[FR Doc. 82-1512 Filed 1-20-82; 8:45 am]

BILLING CODE 8025-01-M

[SBLC NO. 09/B-0032]

PCIB Development Corp.; Filing of Application for Eligibility Determination as a Small Business Lending Company

An Application for Eligibility Determination as a Small Business

Lending Company has been filed by PCIB Development Corporation, (Applicant), Suite 400, 500 Airport Boulevard, Burlingame, California 94010 with the Small Business Administration pursuant to § 120.4(b) of the SBA Regulations (13 CFR 120.4(b) (1981)), promulgated under the Small Business Act. As a Small Business Lending Company (SBLC), under Subsection (b) mentioned above, the Applicant will be engaged solely in the making of loans to small business concerns, in participation with SBA, and in accordance with applicable SBA Regulations. It will be subject to supervision and examination by the SBA.

The Applicant is incorporated under the laws of the State of Delaware and will commence operation with minimum capitalization of \$500,000. The Applicant intends to initially conduct its operations in the State of California and intends to sell in the Secondary Market the SBA's guaranteed portion of loans made to small business concerns.

The Officers, Directors and Stockholders of the Applicant are:

Name, Title and Ownership

Benedicto V. Yujuico, 69 Santiago Avenue, Atherton, California; Chairman, President and Director; 20%
 Miguel Guerrero, 3550 Carter Drive, #102, San Francisco, California; Treasurer, Director; 0%
 Jose Luis Cervero, 482 Fathom Court, Redwood City, California; Secretary, Director; 0%
 PCIB Holding Company (HK) Inc., Suite 400, 500 Airport Boulevard, Burlingame, California 94010; 80%
 PCIB Holding Company (HK) Inc. is a subsidiary of the Philippine Commercial and Industrial Bank (PCIB), Manila, Philippine Islands. PCIB is a major international bank with three offices in the United States and its President is a member of the International Monetary Fund Advisory Group.

Matters involved in SBA's consideration of the Application include the general business reputation and character of management, and the probability of successful operation of the corporation under their management, including adequate profitability and financial soundness, in accordance with the Small Business Act and the Regulations promulgated thereunder.

Notice is hereby given that all interested parties may, not later than February 5, 1982, submit to SBA written comments on the proposed Applicant and/or its management. Any such communication should be addressed to: Wayne S. Foren, Director, Office of Lender Relations and Certification,

Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in Burlingame, California (one time only), as well as in the Western Regional Edition of *The Wall Street Journal*.

(Catalogue of Federal Domestic Assistance Programs No. 59.012 Small Business Loans)

Dated: January 8, 1982.

Edwin T. Holloway,
Acting Associate Administrator for Finance and Investment.

[FR Doc. 82-1509 Filed 1-20-82; 8:45 am]

BILLING CODE 8025-01-M

[Application No. 05/05-0162]

Detroit Metropolitan Small Business Investment Co.; Application for License To Operate as a Small Business Investment Company (SBIC)

Notice is hereby given that an application has been filed with the Small Business Administration pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1981)), under the name of Detroit Metropolitan Small Business Investment Corporation, 150 Michigan Avenue, Detroit, Michigan 48226, for a license to operate as a small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (the Act), (15 U.S.C. 661 et seq.) and the rules and regulations promulgated thereunder.

The proposed officers, directors and shareholders of the Applicant are as follows:

Name and address	Title and relationship	Per cent of ownership
Frank E. Smith, 150 Michigan Ave., Detroit, Michigan 48226.	President.....	0
John R. Steiner, 150 Michigan Ave., Detroit, Michigan 48226.	Secretary and treasurer.....	0
Ruby Jones, 150 Michigan Ave., Detroit, Michigan 48226.	General manager.....	0
Romeo Sancricca, 411 West Lafayette, Detroit, Michigan 48226.	Director.....	0
Karl D. Gregory, Ph.D., 18495 Adrian Road, Southfield, Michigan 48075.	Director.....	0
James Kobus, 3044 West Grand Blvd., 13-15 G.M. Building, Detroit, Michigan 48202.	Director.....	0
Frank J. Sellinger, 611 Woodward Ave., Detroit, Michigan 48226.	Director.....	0
Detroit Metropolitan Industrial Development Corporation, 150 Michigan Ave., Detroit, Michigan 48226.	Parent company.....	100

The Applicant will begin operations with \$500,000 of private capital derived from the sale of 50,000 shares to Detroit Metropolitan Industrial Development Corporation.

The parent company (Detroit Metropolitan Industrial Development Corporation) is a non-profit organization formed for the purpose of aiding and promoting area redevelopment within the State of Michigan, in the counties of Wayne, Monroe, Oakland, Macomb and St. Clair.

The Applicant will conduct its operations in the five-county region in and around Detroit.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owner and management, and the probability of successful operations of the new company under their management including adequate profitability and financial soundness in accord with the Act and Regulations.

Notice is hereby given that any person may on or before February 5, 1982 submit written comments on the proposed company to the Acting Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, NW., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in Detroit, Michigan.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: January 12, 1982.

Robert G. Lineberry,

Acting Deputy Associate Administrator for Investment.

[FR Doc. 82-1433 Filed 1-20-82; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Federal Aviation Administration Meeting; Spring Airline Schedules

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

PURPOSE OF MEETING: The Federal Aviation Administration will hold a public meeting to receive views and comments from interested persons with respect to the options for transitioning to the Spring airline schedules.

DATE: February 1, 1982, 8:30 a.m. to 4:30 p.m.

PLACE: FAA Auditorium, 800 Independence Avenue, S.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Mr. Harvey B. Safeer, Director, Office of Aviation Policy and Plans, Federal Aviation Administration, 800 Independence Avenue S.W., Washington, D.C. 20591, (202) 426-3331.

SUPPLEMENTARY INFORMATION:

Background

The FAA is considering options for transitioning to the Spring airline schedules. In October, 1981, FAA transitioned to the Fall/Winter schedules by zero basing all scheduled carriers at the affected airports based on their pre-strike schedule of operations for the day of September 1, 1981. Starting with the December 1981 schedule, monthly changes have been made on an incremental basis. Some airlines have indicated that a continuation of this process will not be adequate for the transition to the Spring schedule while others are satisfied with the process and would like it to continue as is until full service levels can be restored.

In order to properly consider the views and problems associated with any specific scheme for making the transition, the FAA is soliciting comments from affected airlines, airports, communities and other interested persons. Commentors should consider, but not necessarily limit, their comments to the following areas of concern. Comments may be presented in writing on or before February 1 or may be made orally.

A. Should the April 25 (shift to daylight savings time) schedule be zero based or incremental?

1. Zero base:
 - a. September 1, 1981 schedule day.
 - b. April 25, 1981 schedule day.
 - c. Some other unique day.
2. Incremental:
 - a. Increase all allocations by a proportionate increase in capacity, if any.
 - b. Allow for seasonal adjustments based on 1981 pre-strike adjustments.
 - c. Distribute available capacity at each airport to in-place carriers providing scheduled air service based on pre-strike proportion of total operations at each airport. Other users will receive a pro rata share of any increased capacity.

B. How should new entrants attain access to capacity controlled airports for scheduled operations?

1. Minimal service levels in non-congested hours.
2. Set aside "X" arrivals per hour to be allocated to carriers never serving the affected airport.
3. Allocate arrivals of new entrants only if there is an increase in capacity.

4. Allocate arrivals to new entrants only after carriers who cut back on arrivals are restored to pre-strike service levels.

Meeting Procedures

Persons who plan to attend the meeting on February 1 in the FAA Auditorium, 800 Independence Avenue S.W., beginning at 8:30 a.m., should be aware of the following procedures which are established to facilitate the workings of the meeting:

1. The meeting will be open on a space available basis.
2. Persons who wish to present oral views and comments at the meeting should notify Mr. Safeer as soon as possible. If necessary to provide persons who contact Mr. Safeer prior to February 1, 1982, an opportunity to address the meeting, the meeting may be extended to the evening or additional days.
3. All meetings will be recorded by a court reporter. Anyone interested in purchasing the transcript should contact the court reporter directly. In addition, the meeting may be tape recorded.
4. The FAA will consider all material presented at the meeting by participants. Position papers or other handout material may be accepted at the discretion of the chairperson. Copies should be provided for distribution to all participants.
5. Statements made by FAA participants at the meeting will be made to facilitate discussion and thus should not be taken as expressing a final FAA position.

(Secs. 307, 313(a), 601, and 603, 902, 1110, and 1202, Federal Aviation Act of 1958 [49 U.S.C. 1348, 1354(a), 1421, 1442, 1443, 1472, 1510, and 1522], Sec. 6(c), Department of Transportation Act [49 U.S.C. 1655(c)])

Issued in Washington, D.C. on January 18, 1982.

D. R. Segner,

Associate Administrator for Policy and International Aviation.

[FR Doc. 82-1532 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

[Summary Notice No. PE-82-1]

Petitions for Exemption; Summary of Petitions Received and Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the

application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I) and of dispositions of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATE: Comments on petitions received must identify the petition docket number involved and must be received on or before: February 10, 1982.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Petition Docket No. —, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION:

The petition, any comments received and a copy of any final disposition are filed in the assigned regulatory docket

and are available for examination in the Rules Docket (AGC-204), Room 916, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on January 15, 1982.

John H. Cassady,
Deputy Assistant Chief Counsel, Regulations
and Enforcement Division.

PETITIONS FOR EXEMPTION

Docket No.	Petitioner	Regulations affected	Description of relief sought
21792	Aerónaves de Mexico, S.A. (AM)	14 CFR Portions of Parts 21 and 91	Amendment to Exemption No. 3266A to permit petitioner to operate four new DC-9-80 U.S.-registered aircraft using an FAA-approved master minimum equipment list and an FAA-approved continuous airworthiness maintenance program.
22526	Mr. Michael A. Goble	14 CFR 65.57	To permit petitioner to apply for an aircraft dispatcher certificate without having been in a position with a scheduled air carrier, scheduled military operations, or other similar experience for 2 of the last 3 years.
22460	Ann Arbor Aero Service, Inc.	14 CFR Part 141	To extend petitioner's Provisional Pilot School permit for 1 year even though it did not complete the training of ten students in the previous year.
22446	Texas International Airlines, Inc.	14 CFR 121.311(f)	To permit petitioner to operate its DC-9 aircraft after March 6, 1982, compliance date although each flight attendant will not have a seat for takeoff and landing in the passenger compartment with a combined safety belt and shoulder harness.
22508	Mr. Philip M. Stiffler	14 CFR 21.27(f)	To permit petitioner to obtain a standard type certificate for the Fairchild C-119 airplane without strict compliance with the requirements of Civil Air Regulations, Part 4b.
18243	Scenic Airlines, Inc.	14 CFR 135.113	Reconsideration of a Denial of Petition to permit petitioner to carry a tenth passenger in its Cessna Model 404 aircraft by allowing such passengers to occupy the copilot's seat.
20044	Air Transport Association of America	14 CFR 61.63(b) and 121.437(c)	Extension of Exemption No. 2965 which permits petitioner's member pilots employed by Part 121 certificate holders to be issued additional category and class ratings based on normal upgrade training to second in command.
17397	Delta Air Lines, Inc.	14 CFR 121.291(a)(2)	Reconsideration of a Denial of Petition to permit petitioner to reconfigure its DC-8-61 airplanes with 212 seats and use 5 required flight attendants without conducting a demonstration in which line flight attendants open 50 percent of the exits and deploy 50 percent of the evacuation slides within 15 seconds.
22538	Air Methods, Inc.	14 CFR 135.223(a)(3)	To permit petitioner to operate helicopters in instrument flight rule conditions with a fuel reserve of not less than 30 minutes, rather than 45 minutes.
22146	Transamerica Airlines	14 CFR 121.318(b)(2)	Extension of Exemption No. 3422 which permits petitioner to operate its DC-8 airplanes until December 31, 1982, without having the required public address system microphone installed for each flight attendant seated near a floor-level exit.
22533	Compania Mexicana de Aviacion, S.A. de C.V.	14 CFR 61.77(e)(4) and 63.23(e)(3)	To permit petitioner's present and future Mexicana-Mexican licensed airmen who also hold U.S. special-purpose airmen certificates, to continue to operate U.S.-registered leased aircraft, listed in the petition, beyond the 24-month expiration period which would otherwise apply.
22531	Pyramid Airlines	14 CFR Various Sections	To permit petitioner to use appropriate Minimum Equipment Lists in connection with its operation of two F-27 and six DC-3 aircraft.
22536	Mr. Robert R. Durych	14 CFR 61.161(b)	To permit petitioner to obtain an airline transport pilot certificate in the rotorcraft category without meeting the requirement of having 1,200 hours of flight time within the preceding 8 years.
22537	ERA Helicopters, Inc.	14 CFR 43.3(a)(d)(h), and 135.443(b)(3)	To permit petitioner's appropriately trained certificated pilots to change flat tires on Model 24 Learjets in special circumstances.
22539	Air Methods, Inc.	14 CFR 43.3(h)	To permit petitioner's appropriately trained and certified pilots to remove, check, and reinstall the magnetic chip detector plugs on Bell 206 helicopter engines, transmissions, and tail rotor gear boxes.

DISPOSITIONS OF PETITIONS FOR EXEMPTION

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
22506	Guyana Airways Corp.	14 CFR Portions of Parts 21 & 91	To permit petitioner to operate and maintain a U.S.-registered B-707-321B advanced aircraft N880PA leased from ATASCO USA, Inc., using a FAA-approved minimum equipment list (MEL) and a FAA-approved maintenance and inspection program. <i>Granted 12/18/81.</i>
21799	Cessna Aircraft Co.	14 CFR 25.1305(d)(3)	To permit type certification of the Cessna Model 650 Twin Turbofan Airplane without meeting the Rotor System Unbalance Indicator requirement. <i>Granted 12/23/81.</i>
22281	Dana Corporation, Flight Operations	14 CFR 91.169 & 91.181(a)	To permit petitioner to operate a helicopter which it presently owns in the same manner as large and turbojet powered multiengine civil airplanes. <i>Granted 12/24/81.</i>
22270	Executive Air Fleet Corporation	14 CFR 135.25	To provide for multioperation of aircraft by petitioner and the owners without having exclusive use for at least 6 months of at least one aircraft that meets the requirements for at least one kind of operation authorized in the certificate holder's operations specifications. <i>Denied 12/31/81.</i>

DISPOSITIONS OF PETITIONS FOR EXEMPTION—Continued

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
22431	Montex Drilling Co.	14 CFR 91.307	To allow operation in the United States under a service to small communities exemption specified two-engine airplanes identified by registration and serial number, that have not been shown to comply with the applicable operating noise limits as follows: Until not later than January 1, 1988: 1 BAC-1-11; N114M. <i>Granted 12/30/81.</i>
12464	Compagnie Nationale Air France	14 CFR Portions of Parts 21, 61, 63, & 91	Amendment to Exemption No. 1690AA to delete two B-747-128 aircraft from the appendix and change them from U.S. registry to registration under the applicable statutes of the Republic of France. <i>Granted 12/31/81.</i>
20406	Lockheed-California Company	14 CFR 25.1303(c)(1) & 25.1581	Extension of Exemption No. 3084 to permit the amended type certification of specified Lockheed Model L-1011-385-1-15 airplanes with an overspeed warning tolerance 6 knots greater than allowed and a flight manual whose performance criteria are computed from British Civil Air Regulations criteria rather than FAR criteria. <i>Granted 12/23/81.</i>

[FR Doc. 82-1421 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Supplemental Environmental Impact Statement: Lehigh County, Pennsylvania

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a Supplemental Environmental Impact Statement will be prepared for a proposed highway project in Lehigh County, Pennsylvania.

FOR FURTHER INFORMATION CONTACT:

John R. Krause, Division Environmental Engineer, Federal Highway Administration, 228 Walnut Street, P. O. Box 1086, Harrisburg, Pennsylvania 17108-1086, Telephone: (717) 782-2276, or Matthew F. Mazza, District Engineer, Pennsylvania Department of Transportation, Engineering District 5-0, 1713 Lehigh Street, Allentown, Pennsylvania 18103.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Pennsylvania Department of Transportation, will prepare a Supplemental Environmental Impact Statement (SEIS) on a proposal to construct Interstate 78 (I-78) in Lehigh County. The proposal would involve the construction of Interstate 78, a new limited access highway, between the Village of Haafsville on existing I-78 and Traffic Route 22 in Lehigh County, and run in a generally southeasterly direction to its eastern terminus, near Stones Throw Road just west of the Lehigh-Northampton County Line, where it connects with the eastern portion of Interstate 78.

Two alternative corridors will be reanalyzed in the SEIS. The Southern Corridor which is the corridor in the approved EIS begins on existing I-78 in the vicinity of the village of Haafsville in

Lehigh County. The alignment diverges from existing Interstate 78 and proceeds southeasterly passing through Upper Macungie Township, Lower Macungie Township, Upper Milford Township and Upper Saucon Township. The length of this alignment is 17.64 miles. The 309 Corridor begins at the same location on existing I-78 as the Southern Corridor. Continuing eastward along the existing roadway to Rupperville, it then diverges and proceeds in a southeasterly direction on new location to Traffic Route 309 near the interchange of T. R. 309 and T. R. 222. It then proceeds along a reconstructed Traffic Route 309 to Lanark where the alignment turns in a northeasterly direction to its eastern terminus near Stones Throw Road. The length of this alignment is 14.4 miles.

Only two interchanges will be considered for the Southern Corridor route:

1. A simple "fly-over" type with eastbound U.S. Route 22 traffic underpassing the main line roadway.
2. A partial "cloverleaf" where the route overpasses Pennsylvania Route 309.

There are six areas of traffic interchanges for the 309 Corridor:

1. U.S. Route 22
2. Pennsylvania Route 309
3. U.S. Route 222
4. Cedar Crest Boulevard, Traffic Route 29
5. Lehigh Street and Emmaus Avenue Interchange Complex
6. Pennsylvania Route 309

This SEIS is being initiated as a result of on-going public involvement processes which have resulted in a consensus of local Government bodies expressing a desire to restudy the 309 Corridor. The SEIS process will include detailed studies of Air Quality, Noise, Social-Economical and land use, Ecology, Water Quality, Cultural Resources, Farmland, and Traffic and Transportation.

A letter describing the proposed action and soliciting comments will be sent to appropriate Federal, State and

local agencies. A series of public meetings will be held in Lehigh County between February and May 1982. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearings. The draft SEIS will be available for public and agency review and comment. No formal scoping is planned.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments and questions concerning this proposed action and the EIS should be directed to the FHWA or Pennsylvania Department of Transportation at the address provided above.

Louis M. Papet,

Division Administrator, Harrisburg, Pennsylvania.

[FR Doc. 82-1275 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-22-M

National Highway Traffic Safety Administration

[Docket No. IP82-2; Notice 1]

General Motors Corp.; Receipt of Petition for Determination of Inconsequential Noncompliance

General Motors Corp. of Warren, Mich., has petitioned to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) for an apparent noncompliance with 49 CFR 571.120, Motor Vehicle Safety Standard No. 120, *Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars*. The basis of the petition is that the noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of a petition is published under section 157 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1417) and does not represent any agency decision or other

exercise of judgment concerning the merits of the petition.

Paragraph S5.2(a) of Standard No. 120 requires that each rim be marked with a designation indicating the source of the rim's published nominal dimensions, the usual source for American vehicles being the Tire and Rim Association (T&RA) handbook. GM has manufactured almost 2300 1980-81 Chevrolet and GMC K10 Suburban, Blazer, and Jimmy vehicles on which the P 215/75R15 tire and 8 inch rim used is not listed as an approved tire/rim combination by the T&RA.

GM argues that this noncompliance is inconsequential as the ratio of the rim width to tire section width of the tire and rim is 86.1%, "slightly" in excess of the 85% normal maximum ratio of T&RA approved combinations (in fact, one combination, DR 78-13 tire and 7 inch rim has a ratio of 85.9%). GM's ratio results in "slightly less than normal curb scuff clearance," but the tire has "successfully passed a curb scuff evaluation test" conducted by GM. Petitioner argues that the performance is equivalent to that of approved combinations and states that it is aware of no in-service problems or complaints about the noncompliance.

Interested persons are invited to submit written data, views and arguments on the petition of General Motors Corp. described above. Comments should refer to the docket number and be submitted: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the *Federal Register* pursuant to the authority indicated below. The engineer and lawyer primarily responsible for this notice are Art Neill and Taylor Vinson respectively.

Comment closing date: February 17, 1982.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on January 13, 1982.

Courtney M. Price,

Associate Administrator for Rulemaking.

[FR Doc. 82-1495 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-69-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Art Advisory Panel of the Commissioner of Internal Revenue Availability of Report of Closed Meetings

AGENCY: Internal Revenue Service, Treasury

ACTION: Notice of availability of report on closed meetings of the Art Advisory Panel.

SUMMARY: The Report is now available.

Pursuant to section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. app. (1976); section 8d(3) of the Office of Management and Budget (OMB) Circular No. A-63 (3-27-74), as supplemented; and section 12b of the Department of Treasury Directive 10-06.E (9-2-77): A report summarizing the closed meeting activities of the Art Advisory Panel during 1981, has been prepared. A copy of this report has been filed with the Assistant Secretary of the Treasury for Administration and is now available for public inspection at: Internal Revenue Service, Freedom of Information Reading Room, Room 1565, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

Requests for copies, at \$1.20 each, should be addressed to: Director, Disclosure Operations Division, Attn: FOI Reading Room, Box 388, Benjamin Franklin Station, Washington, D.C. 20044.

This document does not meet the criteria for significant regulations set forth in paragraph 8 of the proposed Treasury directive appearing in the *Federal Register* for Wednesday, May 24, 1978 (43 FR 22321).

FOR FURTHER INFORMATION CONTACT: Tom Hartnett, T:C:E:V, 1111 Constitution Avenue, N.W., Room 5547, Washington,

D.C. 20024, Telephone (202)-56-44217—(Not a toll free telephone number).

Roscoe L. Egger, Jr.,
Commissioner.

[FR Doc. 82-1496 Filed 1-20-82; 8:45 am]

BILLING CODE 4830-01-M

Art Print Panel of the Commissioner of Internal Revenue Availability of Report on Closed Meetings

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of Availability of Report on Closed Meetings of the Art Print Panel.

SUMMARY: The Report is now available.

Pursuant to section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. app. (1976); section 8d(3) of the Office of Management and Budget (OMB) Circular No. A-63 (3-27-74), as supplemented; and section 12b of the Department of Treasury Directive 10-06.E (9-2-77): A report summarizing the closed meeting activities of the Art Print Panel during 1981, has been prepared. A copy of this report has been filed with the Assistant Secretary of Treasury for Administration and is now available for public inspection at: Internal Revenue Service, Freedom of Information Reading Room, Room 1565, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

Requests for copies, at \$1.20 each, should be addressed to: Director, Disclosure Operations Division, Attn: FOI Reading Room, Box 388, Benjamin Franklin Station, Washington, D.C. 20044.

This document does not meet the criteria for significant regulations set forth in paragraph 8 of the proposed Treasury directive appearing in the *Federal Register* for Wednesday, May 24, 1978 (43 FR 22321).

FOR FURTHER INFORMATION CONTACT:

Karen Carolan, T:C:E:V, 1111 Constitution Avenue, N.W., Room 5431, Washington, D.C. 20224, Telephone (202) 566-4196—(Not a toll free telephone number).

Roscoe L. Egger, Jr.,
Commissioner.

[FR Doc. 82-1499 Filed 1-20-82; 8:45 am]

BILLING CODE 4830-01-M

Sunshine Act Meetings

Federal Register

Vol. 47, No. 14

Thursday, January 21, 1982

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

Federal Deposit Insurance Corporation	1
Federal Election Commission	2
Federal Energy Regulatory Commission	3
Federal Maritime Commission	4
International Trade Commission	5
Nuclear Regulatory Commission	6, 7
Securities and Exchange Commission	8

1

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Monday, January 18, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Mr. Charles E. Lord, acting in the place and stead of Director C. T. Conover (Comptroller of the Currency), that Corporation business required the withdrawal from the agenda for consideration at the meeting, on less than seven days' notice to the public, of a memorandum regarding mileage rates paid to Corporation employees.

By the same majority vote, the Board further determined that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of a memorandum regarding the purchase of space to house the Corporation's San Francisco Regional Office.

By the same majority vote, the Board further determined that no earlier notice of these changes in the subject matter of the meeting was practicable.

Dated: January 18, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,
Executive Secretary.

[S-91-82 Filed 1-19-82; 12:00]

BILLING CODE 6714-01-M

2

FEDERAL ELECTION COMMISSION

[FR-5-82-56]

PREVIOUSLY ANNOUNCED DATE AND TIME:

Thursday, January 21, 1982 at 10 a.m.

CHANGES IN MEETING: The following items have been added to the agenda:

Draft AO 1981-51: Continued from January 14, 1982

Draft AO 1981-52: Continued from January 14, 1982

Draft AO 1981-57: Continued from January 14, 1982

Revised Non-Filer Policy and Procedure: Continued from January 14, 1982

The following items have been withdrawn from the agenda:

Draft AO 1981-54

Budget Execution Report

Revision of Regulations, 11 CFR 114.3 and 114.4

DATE AND TIME: Tuesday, January 26, 1982 at 10 a.m.

PLACE: 1325 K Street, NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:
Compliance. Litigation. Audits. Personnel.

DATE AND TIME: Tuesday, January 26, 1982 at 2 p.m.

PLACE: 1325 K Street NW., Washington, D.C. (fifth floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Revision of proposed regulations, communications by corporations and labor organizations 11 CFR 114.3 and 114.4

DATE AND TIME: Wednesday, January 27, 1982 at 10 p.m.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Continuation of executive session of January 26, 1982.

DATE AND TIME: Thursday, January 28, 1982 at 10 p.m.

PLACE: 1325 K Street NW., Washington, D.C. (fifth floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings

Correction and approval of minutes

Advisory opinions:

Draft AO 1981-54: David H. Stoughton,

Fairchild Industries

Draft AO 1981-49: Wm. J. Marschall for

Great Western Financial Corp.

Draft AO 1981-56: John J. Duffy, Satellite Business Systems

Response to the (second) request for reconsideration of matching funds from the Kennedy for President Committee

Revision of proposed regulations, communications by corporations and labor organization, 11 CFR 114.3 and 114.4 if not concluded on January 26

Notice of proposed rulemaking, disclaimer notices, 11 CFR 110.11, if not concluded on January 21, 1982

Revision of proposed regulations, collecting agents and joint fundraising, 11 CFR 102.6 and 102.7, if not concluded on January 21, 1982

Appropriations and Budget:

Budget execution report. Continued from January 14, 1982

Routine administrative matters

PERSON TO CONTACT FOR INFORMATION:

Mr. Fred Eiland, Public Information Officer; Telephone: 202-523-4065.

Marjorie W. Emmons,

Secretary of the Commission.

[S-90-82 1-19-82; 3:59 pm]

BILLING CODE 6715-01-M

3

FEDERAL ENERGY REGULATORY COMMISSION

Notice of meeting

January 19, 1981.

TIME AND DATE: 10 a.m., January 22, 1982.

PLACE: Room 9306, 825 North Capitol Street, N.E., Washington, D.C. 20426.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

(1) Docket No. E-9565, Town of Massena v. Niagara Mohawk Power Corporation and the Power Authority of the State of New York.

(2) *The Process Gas Consumers Group, et al., v. U.S. Department of Agriculture, et al.*, D.C. Cir No. 79-1336.

CONTACT PERSON FOR MORE

INFORMATION: Lois D. Cashell, Acting Secretary; Telephone (202) 357-8400.

[S-95-82 Filed 1-19-82; 3:32 pm]

BILLING CODE 6717-01-M

4

FEDERAL MARITIME COMMISSION

TIME AND DATE: 9 a.m., January 27, 1982.

PLACE: Hearing Room One, 1100 L Street, N.W., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Report on Notation Items disposed of during December 1981.
2. Report of the Secretary on times shortened for submitting comments on section 15 agreements pursuant to delegated authority during December 1981.

3. Report of the Secretary on Applications for Admission to Practice approved during December 1981, pursuant to delegated authority.

4. Agreements Nos. 7100-26, 7670-22, 7770-22 and 9214-28: Modifications of four North Atlantic/European Conferences' Agreements to include rate-making authority for the consolidation of cargo.

5. Agreement No. 9925-3: Petition of PACE Line Service for reconsideration of order of conditional approval.

6. Informal Docket No. 728(I): PPG Industries, Inc. v. Atlanttrafik Express Service—Petition of respondent for reconsideration.

Portions closed to the public:

1. Docket No. 80-77: Failure of Vessel Operating Common Carriers Operating in the Foreign Commerce of the United States to Comply with the Certification Filing Requirements of Section 21(b) of the Shipping Act, 1916—Consideration of the record.

2. Docket No. 81-47: Lease Agreement No. T-3753 Between Maryland Port Administration and Atlantic & Gulf Stevedores, Inc.—Petition of Maryland Port Authority for reconsideration.

CONTACT PERSON FOR MORE

INFORMATION: Francis C. Hurney, Secretary (202) 523-5725.

[S-89-82 Filed 1-19-82; 11:26 am]

BILLING CODE 6730-01-M

5

INTERNATIONAL TRADE COMMISSION

[USITC SE-82-3]

TIME AND DATE: 10 a.m., Thursday, January 28, 1982.

PLACE: Room 117, 701 E Street, NW., Washington, D.C. 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda.
2. Minutes.
3. Ratifications.
4. Petitions and complaints, if necessary: a. Auto visors (Docket No. 785).
5. Any items left over from previous agenda.

CONTACT PERSON FOR MORE

INFORMATION: Kenneth R. Mason, Secretary (202) 523-0161.

[S-90-82 Filed 1-19-82; 11:34 am]

BILLING CODE 7020-02-M

6

NUCLEAR REGULATORY COMMISSION

DATE: Week of January 18, 1982

(revised).

PLACE: Commissioners' Conference Room, 1717 H Street, NW., Washington, D.C.

STATUS: Open/closed.

MATTERS TO BE CONSIDERED:

Wednesday, January 20:

2:00 p.m.:

Discussion of TMI-1 Restart Court Litigation (closed meeting)

Thursday, January 21:

10:00 a.m.:

Discussion of Region V Report on Diablo Canyon (closed meeting) (as announced)

2:00 p.m.:

Discussion of Waste Confidence Proceeding (closed meeting) (approximately 1¼ hours, postponed from January 20)

3:45 p.m.:

Affirmation/Discussion Session (public meeting, items revised)

Items to be affirmed and/or discussed:

- a. Revised General Statement of Policy and Procedure for Enforcement Actions (postponed from January 14)
- b. Amendment to 10 CFR Part 110: Export of IAEA Safeguards Samples (postponed from January 14)
- c. Reconsideration of 10 CFR 2.700a (Exception from Procedural Rules for Adjudications Involving Conduct of Military or Foreign Affairs Functions) and Application to Pending Proceedings (postponed from January 14)
- e. Commission Response to FOIA Appeal (81-A-15C) Regarding Transcripts of Zimmer Meetings (postponed from January 14)
- f. Petition for Reconsideration and Request for Immediate Suspension of New Safeguards Information Regulations Implementing Section 147

ADDITIONAL INFORMATION: The Affirmation/Discussion Session scheduled for January 14 was cancelled. Discussion of Region V Report on Diablo Canyon, scheduled for January 20, has been cancelled.

AUTOMATIC TELEPHONE ANSWERING SERVICE FOR SCHEDULE UPDATE: (202)

634-1498. Those planning to attend a meeting should verify the status on the day of the meeting.

CONTACT PERSON FOR MORE

INFORMATION: Gary Gilbert (202) 634-1410.

January 19, 1982.

Gary Gilbert,

Office of the secretary.

[S-93-82 Filed 1-19-82; 3:32 pm]

BILLING CODE 7590-01-M

7

NUCLEAR REGULATORY COMMISSION

DATE: Week of January 25, 1982.

PLACE: Commissioners' Conference Room, 1717 H Street, NW., Washington, D.C.

STATUS: Open/closed.

MATTERS TO BE CONSIDERED: *Monday, January 25:*

2:00 p.m.:

Discussion of Management-Organization and Internal Personnel Matters (closed meeting) (tentative)

Wednesday, January 27:

2:00 p.m.:

Discussion of Contested Issues in TMI-1 Restart Proceeding (closed meeting) (approximately 1½ hours)

3:30 p.m.:

Discussion of Export Licensing Policy (closed meeting) (tentative)

Thursday, January 28:

10:00 a.m.:

Discussion of Revised Licensing Procedures (closed meeting)

3:00 p.m.:

Affirmation/Discussion Session (public meeting)

Items to be affirmed and/or discussed:

- a. Dr. George V. Taplin's Petition (PRM 35-1) Regarding 10 CFR Part 35, "Human Uses of Byproduct Material"
- b. Proposed Changes to Part 2: Management of Discovery
- c. FOIA Appeal (81-A-18C) Regarding Military Functions Rule
- d. General License for Mill Tailings in Agreement States

Friday, January 29:

10:00 a.m.:

Discussion of Quality Assurance/Quality Control (public meeting)

AUTOMATIC TELEPHONE ANSWERING SERVICE FOR SCHEDULE UPDATE: (202)

634-1498. Those planning to attend a meeting should verify the status on the day of the meeting.

CONTACT PERSON FOR MORE

INFORMATION:

Gary Gilbert (202) 634-1410.

January 18, 1982.

Gary Gilbert,

Office of the Secretary.

[S-94-82 Filed 1-19-82; 3:23 pm]

BILLING CODE 7590-01-M

8

SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of January 25, 1982, in Room 825, 500 North Capitol Street, Washington, D.C.

Closed meetings will be held on Tuesday, January 26, 1982, at 10:00 a.m. and on Thursday, January 28, 1982, following the 10:00 a.m. open meeting. Open meetings will be held on Tuesday, January 26, 1982, at 3:00 p.m. and on Thursday, January 28, 1982, at 10:00 a.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meetings. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meetings may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)(A) and (10) and 17 CFR 200.402(a)(4)(8)(9)(i) and (10).

Chairman Shad and Commissioners Loomis, Evans, Thomas, and Lonstreth voted to consider the items listed for the closed meetings in closed session.

The subject matter of the closed meeting scheduled for Tuesday, January 26, 1982, at 10:00 a.m., will be:

Formal order of investigation.
Amend formal order of investigation.

Settlement of administrative proceedings of an enforcement nature.
Institution of injunctive actions.
Freedom of Information Act appeals.
Institution of administrative proceeding of an enforcement nature.
Regulatory matter bearing enforcement implications.

The subject matter of the closed meeting scheduled for Thursday, January 28, 1982, following the 10:00 a.m. open meeting, will be:

Regulatory matter bearing enforcement implications.

The subject matter of the open meeting scheduled for Tuesday, January 26, 1982, at 3:00 p.m., will be:

Meeting with the American Society of Corporate Secretaries.

The subject matter of the open meeting scheduled for Thursday, January 28, 1982, at 10:00 a.m., will be:

1. Consideration of whether to propose for public comment rule 2a-7 under the Investment Company Act of 1940, which would permit money market funds, subject to certain conditions, to use the amortized cost method of valuation of their portfolio securities or the penny-rounding method to calculate their current price per share. For further information, please contact Arthur J. Brown at (202) 272-2048.

2. Consideration of whether to grant the request of Debevoise & Plimpton for a waiver of imputed disqualification pursuant to 17 CFR 200.735-8(d). For further information, please contact Myrna Siegel at (202) 272-2430.

3. Consideration of Freedom of Information Act ("FOIA") appeal of Joseph A. Kutch. Mr. Kutch requested for access to staff memoranda or reports which discuss the manner in which Covington-Knox, Inc. and certain affiliated persons may have violated certain provisions of the securities laws. The FOIA Officer denied the request pursuant to Exemption 5 under the FOIA, which exempts inter and intra-agency documents which would not be available by law to a party other than an agency, in litigation with the agency. For

further information, please contact Anne H. Sullivan at (202) 272-3088.

4. Consideration of whether to adopt final definitions of the terms "small business" and "small organization" for purposes of the Regulatory Flexibility Act. For further information, please contact Alan Rosenblatt at (202) 272-2428.

5. Consideration of whether to issue a release adopting technical amendments to rules promulgated under the 1935 Act which identify the correct forms for filing reports pursuant to Section 17(a) thereunder and eliminate certain duplicate text and obsolete references. For further information, please contact James E. Lurie at (202) 523-5683.

6. Consideration of whether to issue a release that announces rescission of Item 8(g) of the proxy rules requiring disclosure in proxy statements about nonaudit services performed by independent accountants for their audit clients. Consideration will also be given to the recommendations of some commentators and a petition filed with the Commission that it reinstate Accounting Series Release No. 264 and hold hearings on or sponsor an investigation of the nonaudit service activity of independent accountants. For further information, please contact Linda Griggs or Ed Coulson at (202) 272-2130.

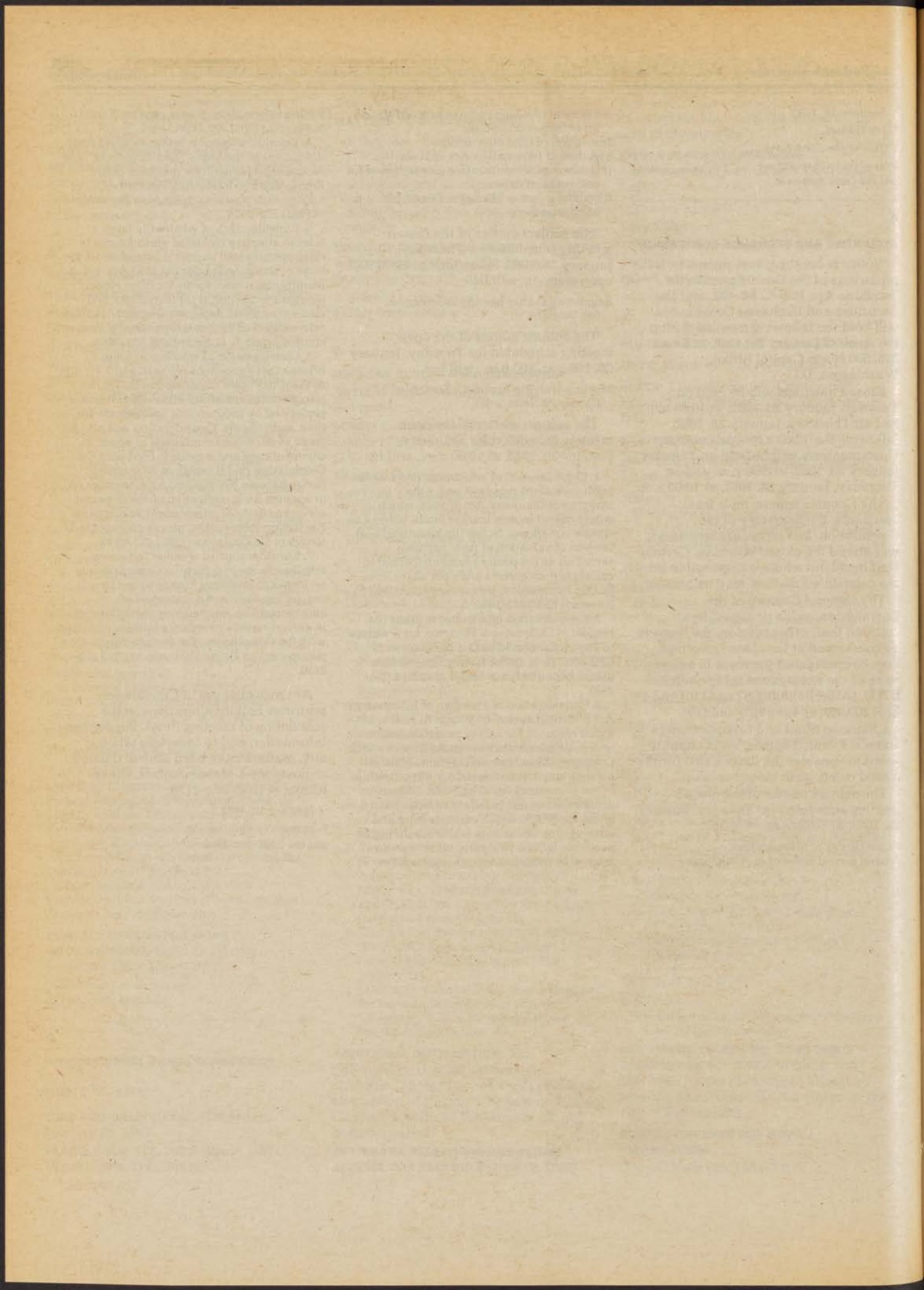
7. Consideration of whether to issue a release announcing that the Commission is no longer considering further action to require disclosure of a statement of management on internal accounting control in annual reports to security holders or filings with the Commission. For further information, please contact David F. Martin at (202) 272-2130.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Diane Klinke at (202) 272-2178.

January 19, 1982.

[S-92-82 Filed 1-19-82; 1:01 pm]

BILLING CODE 8010-01-M



Thursday
January 21, 1982

Test Report

Part II

Department of Transportation

Federal Aviation Administration

Number of Flight Attendants Required During Intermediate Stops; Proposed Rulemaking

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 121

[Docket No. 20843; Notice No. 82-1]

Number of Flight Attendants Required During Intermediate Stops

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to change the regulations by reducing by one-half the number of flight attendants required to remain on board the aircraft during intermediate stops when passengers remain on board. Current regulations are interpreted as providing that the required number of flight attendants must remain on board during these stops. This proposal arose as a result of a petition for rulemaking submitted by the Air Transport Association of America (ATA) on October 9, 1980, and is consistent with Executive Order 12291.

DATE: Comments must be received on or before March 22, 1982.

ADDRESS: Send comments on this proposal in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Docket No. 20843, 800 Independence Avenue, SW., Washington, D.C. 20591; or deliver comments in duplicate to: Room 916, 800 Independence Ave., SW., Washington, D.C. Comments may be examined in the Rules Docket weekdays, except Federal holidays, between 8:30 a.m. and 5 p.m.

FOR FURTHER INFORMATION CONTACT: Joseph A. Sirkis, Regulatory Projects Branch (AVS-24), Safety Regulations Staff, Associate Administrator for Aviation Standards, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone (202) 755-8716.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC-204), 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before

the closing date for comments will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 20843." The postcard will be date/time stamped and returned to the commenter.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2, "Notice of Proposed Rulemaking Distribution System," which describes the application procedure.

Background Information

On October 9, 1980, ATA submitted a petition for rulemaking in accordance with the provisions of § 11.25 of the Federal Aviation Regulations (FAR). A summary of this petition was published in the Federal Register on February 19, 1981 (46 FR 12981). No comments were received. This petition requested clarification of § 121.391(a) in regard to the number of flight attendants required to be on board airline passenger-carrying aircraft other than during flight time.

The current regulation states that each certificate holder shall provide at least the following flight attendants on each passenger-carrying airplane used:

1. For airplanes having a seating capacity of more than 9 but fewer than 51 passengers—1 flight attendant.
2. For airplanes having a seating capacity of more than 50 but fewer than 101 passengers—2 flight attendants.
3. For airplanes having a seating capacity of more than 100 passengers—2 flight attendants plus 1 additional flight

attendant for each unit (or part of a unit) of 50 passenger seats above a seating capacity of 100 passengers.

ATA states in its petition that by memorandum of June 2, 1980, from the FAA's Acting Chief, Air Transportation Division, FAA regions were advised of a new interpretation from the Office of the Chief Counsel in regard to § 121.391. This interpretation states that the minimum complement of flight attendants required by § 121.391 must be on the aircraft whenever passengers are on the aircraft. This includes the periods of time during the boarding process and during intermediate stops. The interpretation also states that if an individual (e.g., a gate agent) replaced a flight attendant and that flight attendant was part of the minimum crew complement, then the individual replacing the flight attendant would have to receive crewmember emergency training on that aircraft in accordance with § 121.417.

ATA further states in its petition that its member airlines strongly disagree with this interpretation and "difficulties associated with the application of the June 2 FAA interpretation would adversely affect the airlines operationally, economically, and could well create unnecessary hardship to the traveling public."

After review and analysis of the ATA petition, the FAA concurs with the ATA that the current regulations contain unnecessary requirements. As already noted, the current regulation provides that all required flight attendants not only must be on the aircraft during flight time but must also remain on board during intermediate stops. Analysis of the safety issues involved reveals that this is not necessary and precludes such personnel from performing other related duties. Such duties include aiding elderly or handicapped passengers, accompanying minors, and coordinating with ground personnel.

Sections 25.803 and 121.291 and Appendix D to Part 121 of the FAR require that during a demonstration of emergency evacuation procedures, not more than 50 percent of the emergency exits in the sides of the fuselage of an airplane may be used for the demonstration. Similarly, in exemptions granted from § 121.291 of the FAR, the FAA requires the flight attendants to open 50 percent of the required emergency floor-level exits and 50 percent of the required emergency nonfloor-level exits and to deploy 50 percent of the emergency exit slides within 15 seconds. The 50 percent figure reflects the probability that one-half of the emergency exits may be rendered

inoperative in a crash situation due to fuselage damage or fire. At an intermediate stop, however, at least one floor-level exit will remain open and time will not be lost in preparing that exit for evacuation during an emergency situation. In addition, most other exits should normally be operable.

Therefore, the FAA proposes to reduce the number of required flight attendants who must remain on board during intermediate stops. Intermediate stops are stops where passengers remain on board and proceed on that aircraft to another destination. They are usually of short duration. During such stops, the aircraft is in a static mode, in a level attitude with the engines stopped. This is in contrast with a crash situation in which the aircraft often comes to rest in an unusual attitude with cabin contents dislodged and with exits blocked or inoperable because of impact damage. The FAA proposes that during such stops each certificate holder shall provide and maintain on board the aircraft at least one-half (rounded to the next higher figure) the required number of flight attendants.

Additionally, the FAA proposes that the certificate holder must ensure that at least one floor-level exit on that aircraft remains open during that stop and that such exit provides for the rapid deplaning of passengers. One or more additional exits may be open for servicing the galleys and lavatories. As part of their emergency evacuation duties, the required flight attendants on board are required by the certificate holder, to open, if necessary, additional emergency exits to provide for the rapid deplaning of passengers. Also, at most intermediate stops, flight crewmembers, mechanics, baggage handlers, security personnel, and other ground personnel are nearby to assist in the event of an emergency. Furthermore, the aircraft's engines are shut down while the aircraft is at the gate. This factor should mitigate the chances of an emergency that may arise from engine torching or overheating.

Additionally, this proposal would allow the substitution for required flight attendants of other personnel qualified in the emergency evacuation procedures for that aircraft required in § 121.417 of the FAR as long as they are identified to the passengers. Personnel such as passenger agents, customer service representatives, and ticket agents who have been trained in accordance with § 121.417 of the FAR would be allowed to perform safety-related flight

attendant duties in the absence of the required flight attendants at intermediate stops. These normally required flight attendants may be performing other related duties such as aiding unaccompanied children or ill passengers.

Finally, it has been determined that during many intermediate stops only a small number of passengers remain on board the aircraft. In most cases, passengers have the opportunity to proceed to a lounge or to other appropriate places instead of remaining on board the aircraft during any prolonged intermediate stop. Therefore, if the airplane is stationary, the engines are not operating, and one or more exits are open, then allowing one-half of those flight attendants required by § 121.391 to remain on board the airplane at an intermediate stop would provide a necessary level of safety for all passengers and crewmembers.

Cost Impact

This rulemaking responds to an industry petition for relief from the current regulation. No formal cost/benefit analysis was completed with respect to this proposal for regulatory relief. A regulatory evaluation was conducted for this action to preliminarily assess the cost and economic impact. While the ATA petition did not summarize current staffing practices for periods when occupied aircraft are at intermediate stops, the FAA concludes that there are no apparent direct or indirect (nonindustry) costs associated with granting the requested relief. The ATA petition indicates that the cost of literal compliance with present § 121.391(a) could involve millions of dollars yearly in added cost per carrier. The FAA agrees with the general estimates provided by ATA. It is therefore expected that the benefits of granting the relief far outweigh any direct costs associated with changing the present regulation. We invite further comment on this matter.

The Proposed Amendment

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Accordingly, the FAA proposes to amend § 121.391 of the Federal Aviation Regulations (14 CFR 121.391) by adding a new paragraph (e) to read as follows:

§ 121.391 Flight attendants.

(e) At stops where passengers remain on board and proceed on that aircraft to another destination, each certificate holder shall provide and maintain on board the aircraft during that stop at least one-half (rounded to the next higher figure) of the flight attendants as provided in paragraph (a) of this section or the same number of other personnel qualified in the emergency evacuation procedures for that aircraft as required in § 121.417 and provided those personnel are identified to the passengers. Additionally, the certificate holder must ensure that the aircraft engines are shut down and at least one floor-level exit on that aircraft remains open during that stop and that such exit provides for the deplaning of passengers.

(Secs. 313, 314, and 601 through 610, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354, 1355, 1421 through 1430); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.45)

Note.—The FAA has determined that this proposal relaxes requirements and allows more flexibility to affected Part 121 operators as it will reduce by one-half the number of flight attendants required to remain on board the aircraft during intermediate stops when passengers remain on board. There are no apparent direct or indirect (nonindustry) costs associated with granting the requested relief, and the benefits far outweigh any direct costs associated with changing the present regulation. Therefore, it has been determined that this is not a major regulation under Executive Order 12291. I certify that, under the criteria of the Regulatory Flexibility Act, the proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. This proposal applies to certificated air carriers, few of which are considered to be small entities. It would allow all carriers to reduce the number of employees which must be on aircraft during certain parts of the operations, thus reducing overall costs. In addition, the FAA has determined that this proposed revision is not significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). The draft evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contracting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

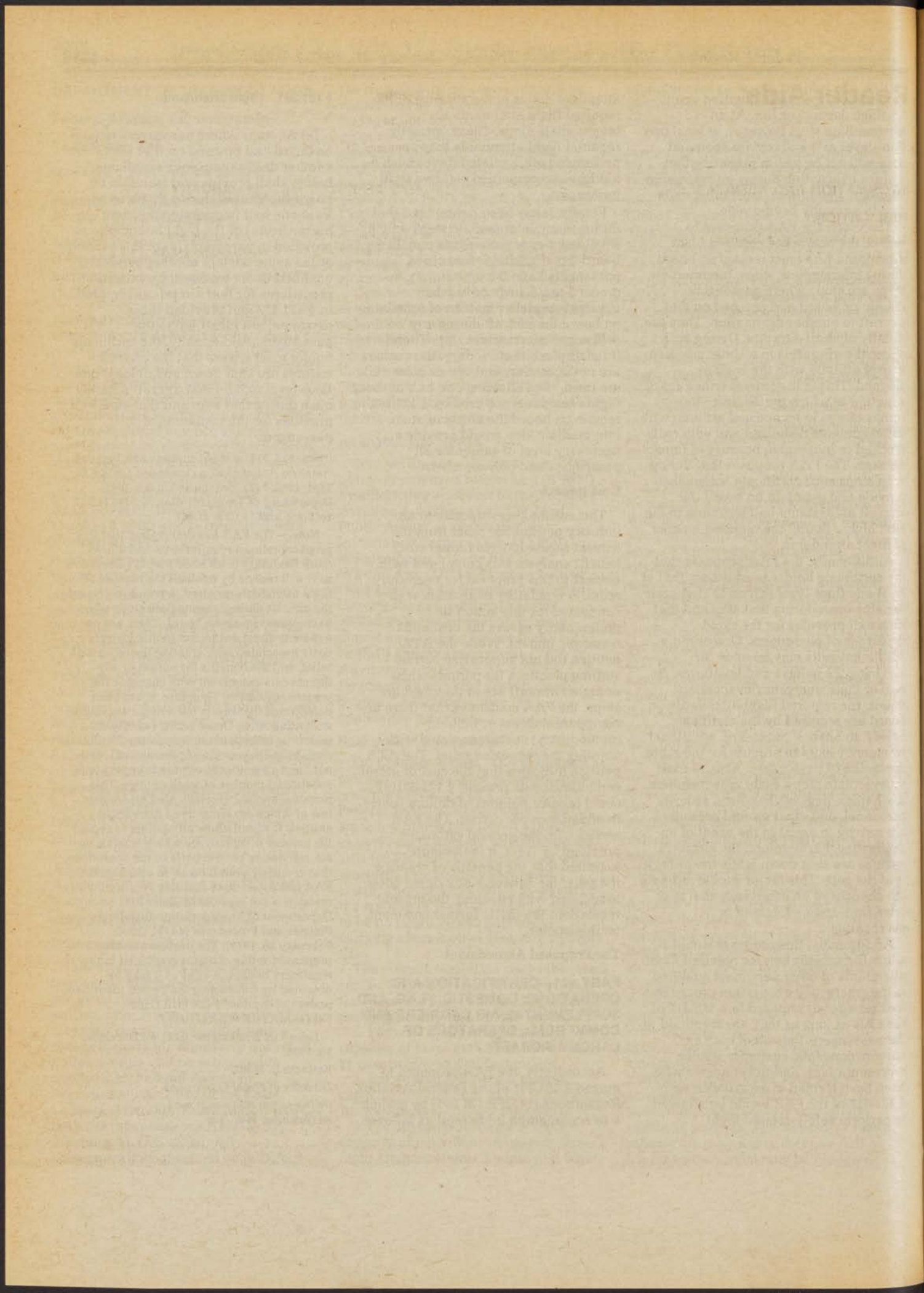
Issued in Washington, D.C. on December 18, 1981.

Kenneth S. Hunt,

Director of Flight Operations.

[FR Doc. 82-1321 Filed 1-20-82; 8:45 am]

BILLING CODE 4910-13-M



Reader Aids

Federal Register

Vol. 47, No. 14

Thursday, January 21, 1982

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419
General information, index, and finding aids	523-3517
Incorporation by reference	523-5227
Printing schedules and pricing information	523-4534
	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Privacy Act	523-5237
Public Inspection Desk	523-5215
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282
	523-5266
	275-3030

Slip law orders (GPO)

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235

United States Government Manual

	523-5230
Agency services	523-4534
Automation	523-3408

Dial-a-Reg

Chicago, Ill.	312-663-0884
Los Angeles, Calif.	213-688-6694
Washington, D.C.	202-523-5022

Library

Magnetic tapes of FR issues and CFR volumes (GPO)	523-4986
	275-2867

Public Inspection Desk

Special Projects	523-5215
Subscription orders (GPO)	523-4534
Subscription problems (GPO)	783-3238
TTY for the deaf	275-3054
	523-5229

FEDERAL REGISTER PAGES AND DATES, JANUARY

1-128	4
129-588	5
589-744	6
745-934	7
935-1108	8
1109-1256	11
1257-1366	12
1367-2072	13
2073-2282	14
2283-2474	15
2475-2766	18
2767-2854	19
2855-2976	20
2977-3070	21

CFR PARTS AFFECTED DURING JANUARY

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:	
4707 (Amended by.....	1006..... 814
Proc. 4889).....	1007..... 962, 2122
4889.....	1011..... 2999
4890.....	1012..... 814
4891.....	1013..... 814
	1033..... 814
	1036..... 814
	1040..... 814
Executive Orders:	
1643 (Revoked by.....	1046..... 2999
PLO 6101).....	1098..... 2999
11157 (Amended by.....	1124..... 814
EO 12337).....	1125..... 814
12171 (Amended by.....	1133..... 814
EO 12338).....	1134..... 778, 814
12310 (Amended by.....	1135..... 814
EO 12339).....	1136..... 778, 814
12337.....	1137..... 778, 814
12338.....	1139..... 814
12339.....	1250..... 1105
	1865..... 33
	1942..... 2774
	1951..... 33

5 CFR

359.....	2283
410.....	935
832.....	2284
1201.....	936
Proposed Rules:	
Ch. I.....	154
352.....	956
550.....	958
610.....	958
890.....	961

6 CFR

Ch. VI.....	2285
Ch. VII.....	2285

7 CFR

Ch. XII.....	2981
Subtitle B.....	745
1a.....	2073
2.....	5, 6
68.....	129, 2074
282.....	532
301.....	1257
425.....	6
631.....	130
701.....	937
800.....	131, 2254
801.....	2979
905.....	589
906.....	1265
907.....	746, 2074, 2980
910.....	939, 2767
944.....	747, 1265
1300.....	2981
1924.....	590
1942.....	590
Proposed Rules:	
102.....	631
360.....	2874
979.....	631
1004.....	2118

8 CFR

101.....	940
204.....	942
238.....	131
264.....	940
316a.....	132

Proposed Rules

3.....	1396
--------	------

9 CFR

Ch. I.....	745
Ch. II.....	745
Ch. III.....	745
82.....	1109
92.....	591

10 CFR

2.....	2286
40.....	8
50.....	2286
70.....	8
71.....	596
73.....	600
150.....	8
504.....	749
508.....	749

Proposed Rules:

Ch. XVI.....	1138
50.....	2876, 2879
317.....	1137
378.....	817
440.....	1299
455.....	2880
457.....	1301
500.....	161
501.....	161
503.....	161
710.....	2874
790.....	1302

12 CFR

Ch. VII..... 1371

5..... 132

203..... 750

207..... 2981

213..... 755

217..... 9, 2857

220..... 2981

221..... 2981

226..... 755

327..... 943

563c..... 2857

614..... 2477

Proposed Rules:

701..... 963

702..... 633, 2122

13 CFR

101..... 2074, 2305

107..... 2859

120..... 9

124..... 1109

14 CFR

21..... 756

39..... 10-14, 759, 1110-1113, 2477, 2479

71..... 15-18, 759, 760, 1113-1115, 2079, 2481, 2984, 2985

73..... 18, 2986

75..... 18

93..... 2079

97..... 1115

159..... 2079

201..... 132

207..... 134

208..... 134

212..... 135

231..... 137

245..... 761

246..... 762

298..... 604

302..... 138

321..... 139

380..... 140

399..... 140

Proposed Rules:

Ch. I..... 817

39..... 1140-1142, 2485

71..... 36-38, 1144, 1145, 2488, 2489, 3002-3005

73..... 1146, 2488, 2490

91..... 818

121..... 3068

296..... 633

297..... 633

15 CFR

50..... 18

371..... 609

373..... 609

376..... 609

378..... 609

379..... 141

385..... 141, 609

390..... 144

399..... 141, 609

Proposed Rules:

30..... 2122

369..... 2320

16 CFR

13..... 1372

17 CFR

201..... 609

211..... 1266

240..... 1372, 1373, 2079

Proposed Rules:

1..... 2325

210..... 2776

240..... 2124

18 CFR

Ch. I..... 613

141..... 1267, 2083

270..... 614

282..... 20

Proposed Rules:

141..... 39, 2329

271..... 39, 638, 2883

273..... 638

274..... 638

19 CFR

4..... 2084

6..... 2085

10..... 944

18..... 2086

101..... 1286, 2088

Proposed Rules:

10..... 2124

18..... 2125

111..... 1396

177..... 2126

20 CFR

Ch. I..... 145

Ch. V..... 145

Ch. VI..... 145

Proposed Rules:

Ch. I..... 402

Ch. V..... 402

Ch. VI..... 402

404..... 642

416..... 642, 2127

21 CFR

1..... 946

2..... 946

73..... 946

105..... 946

135..... 1287

145..... 2311

170..... 946

172..... 946

173..... 145

175..... 1288

176..... 1288

178..... 1288

193..... 616, 1374, 2986

510..... 146, 2312, 2767

522..... 146

558..... 1289, 2312

561..... 1375, 1376, 2860

Proposed Rules:

7..... 2331

20..... 162

146..... 963

168..... 163

310..... 424, 430

333..... 436

357..... 444-512

358..... 522

878..... 2810

22 CFR

42..... 2089

23 CFR

Proposed Rules:

635..... 1146

24 CFR

201..... 616, 617

203..... 916

234..... 916

511..... 1117

540..... 1117

541..... 1117

551..... 1117

555..... 1117

556..... 1117

561..... 1117

25 CFR

700..... 2089

26 CFR

1..... 147, 2986

Proposed Rules:

1..... 163, 164, 988, 3006

15A..... 164

301..... 3007

27 CFR

Proposed Rules:

5..... 1148

9..... 1149-1153

28 CFR

2..... 2312

17..... 2861

29 CFR

Subtitle A..... 145

Ch. V..... 145

Ch. XVII..... 145

1952..... 1289

2619..... 2313

Proposed Rules:

Subtitle A..... 402

Ch. V..... 402

Ch. XVII..... 402

Ch. XXV..... 402

5..... 966

1990..... 187

2672..... 1304

30 CFR

936..... 2989

Proposed Rules:

Ch. I..... 402

Ch. VII..... 820, 2338

100..... 2335

211..... 819

700..... 41

701..... 41

716..... 928, 2340

764..... 41

770..... 41

771..... 41

779..... 41

780..... 41

783..... 41

784..... 41

785..... 41

786..... 41

788..... 41

816..... 41

31 CFR

535..... 145

32 CFR

230..... 2112

Proposed Rules:

543..... 822

585..... 190

33 CFR

110..... 1117

117..... 1118

165..... 1118

Proposed Rules:

88..... 826

89..... 826

117..... 3010

34 CFR

624..... 540

625..... 540

626..... 540

627..... 540

644..... 2258

674..... 736

675..... 736

676..... 736

690..... 736

Proposed Rules:

674..... 908

675..... 908

676..... 908

35 CFR

103..... 2991

36 CFR

Ch. II..... 745

Proposed Rules:

Ch. II..... 2886

39 CFR

601..... 1377

40 CFR

52..... 762, 763, 947, 948, 1119, 1290-1292, 2112, 2113, 2768

60..... 950, 2314

65..... 1293

80..... 764

81..... 763, 952, 1120, 1377, 2113, 2111

18, 19

305.....

2089

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

2861

145

145

145

402

402

402

642

642, 2127

946

946

946

946

1287

2311

946

946

145

1288

1288

1288

616, 1374, 2986

146, 2312, 2767

146

1289, 2312

1375, 1376, 2860

2331

162

963

163

424, 430

436

444-512

522

2810

2089

1146

616, 617

916

916

1117

1117

1117

1117

1117

1117

2089

147, 2986

163, 164, 988, 3006

164

3007

1148

1149-1153

2312

<

123.....618, 1248, 2314
180.....619-623, 1378-1384,
2862, 2863

193.....1385
262.....1248
264.....953
265.....1254, 2316
702.....2771
762.....148, 149

Proposed Rules:

50.....2127, 2341
52.....191, 1304, 1398, 2129
58.....2127
65.....969, 2889
81.....2131, 3011
86.....972, 1306, 1642
123.....1155, 2378
180.....651-654, 2889
244.....1307
245.....1307
246.....1307, 2379
761.....2379
775.....193
799.....973, 2379

41 CFR

Ch. 50.....145
Ch. 60.....145
5-12.....1385
5A-7.....2481
5A-16.....2481
5A-72.....2481

Proposed Rules:

Ch. 60.....402

42 CFR

405.....1386
441.....1386

43 CFR

7.....2995
20.....2316, 2995
428.....624
3100.....2864
3110.....2864

Public Land Orders:

6100.....21
6101.....769

Proposed Rules:

Subtitle A.....2381
426.....2890
4100.....1155

44 CFR

65.....770
66.....770
67.....22
70.....771, 772

Proposed Rules:

13.....2491
67.....3012
205.....827

45 CFR

680.....193
681.....193
682.....193
683.....193
684.....193

46 CFR**Proposed Rules:**

69.....2131
510.....215

536.....655

47 CFR

0.....1294, 2864
2.....953, 1386
21.....953
73.....150, 1386, 2116, 2865-
2871
74.....150, 953, 1392, 2864
83.....2317
97.....2872

Proposed Rules:

2.....983, 1308
15.....216, 836
73.....58, 837, 983, 985, 1308,
2135, 2136, 2384, 2385,
2890-2893
74.....983
81.....2894
83.....2894
90.....1310

48 CFR**Proposed Rules:**

13.....1400
17.....1400

49 CFR

Ch. X.....613
1.....1122
571.....2996
830.....773
1033.....151, 152, 624, 773,
776, 2482
1056.....777
1136.....2117
1139.....2317

Proposed Rules:

1031.....1155
1039.....220
1300.....220
1310.....59

50 CFR

17.....2317
23.....1294, 2117
32.....1122-1135
611.....625, 1294, 1295
662.....629
675.....1295

Proposed Rules:

23.....1242
611.....2386
672.....2386

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
DOT/NHTSA	HHS/FDA		DOT/NHTSA	HHS/FDA
DOT/RSPA			DOT/RSPA	
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. Comments on this program are still invited.

Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last Listing January 6, 1982